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KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2003

MARCH 4, 2003.—Ordered to be printed

Mr. GREGG, from the Committee on Health, Education, Labor, and Pensions, submitted the following

R E P O R T

[To accompany S. 342]

The Committee on Health, Education, Labor, and Pensions, to which was referred the bill (S. 342) to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY OF THE BILL

The Child Abuse Prevention and Treatment Act Amendments of 1995 (CAPTA) reauthorize and amend the Child Abuse Prevention and Treatment Act, the Family Resource and Support Programs, the Adoption Opportunities Act, the Family Violence Prevention and Services programs, the Abandoned Infants Assistance Act, the Missing Children's Assistance Act, and the Children's Justice Act.

On February 10, 2003, a bill to reauthorize the Child Abuse Prevention and Treatment Act, the Adoption Opportunities Act, the Family Violence Prevention and Services Act and the Abandoned

Infants Assistance Act was introduced by Senators Gregg, Kennedy, Dodd, and Alexander. The bill, S. 342, was referred to the Committee on Health, Education, Labor and Pensions.

II. BACKGROUND AND NEED FOR LEGISLATION

It is the purpose of the Keeping Children and Families Safe Act to renew, improve, and strengthen the Child Abuse Prevention and Treatment Act, the Adoption Opportunities Act, the Abandoned Infants Assistance Act, and the Family Violence Prevention and Services Act for the next five years. The act is intended to strengthen and support families with children and to protect children from abuse and neglect, improve services for children exposed to domestic violence, improve adoption assistance, and strengthen assistance for abandoned infants.

TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

Despite Federal programs, State and local efforts, increased media attention and public awareness, child abuse and neglect continue to be a significant problem in the United States. Recent reports present startling indications of child maltreatment in the United States.

Each year an estimated 1 million children fall victim to substantiated cases of child abuse or neglect. In its Child Maltreatment 2000 report on child abuse and neglect, the U.S. Department of Health and Human Services reported that, each year, 141,700 children are seriously injured as a result of abuse and neglect, 18,000 are severely disabled, and 1,200 children die as a result of abuse or neglect. Children younger than 6 years of age accounted for 85 percent of child fatalities and children younger than one year of age accounted for 44 percent of child fatalities.

Many more reports of alleged child abuse and neglect are filed each year than are substantiated, overwhelming an already overburdened child protective system. Approximately 3 million referrals concerning the welfare of about 5 million children were made to Child Protection Services (CPS) agencies throughout the Nation in 2000. Of these referrals, about two-thirds (62 percent) were screened-in for further assessment and investigation. Of this amount, approximately 879,000 were found to be victims of child maltreatment with 63 percent suffering from neglect; 19 percent from physical abuse; 10 percent from sexual abuse; and 8 percent some form of emotional maltreatment.

A certain proportion of unsubstantiated reports is an inherent and legitimate aspect of reporting suspected child maltreatment and may be necessary to ensure adequate child protection. However unsubstantiation rates of the current magnitude may go beyond anything reasonably needed. Worse, apparent overreporting may endanger children who are truly being abused.

Forced to allocate a substantial portion of their limited resources to investigating reports which turn out to be unsubstantiated, child protective agencies are less able to respond promptly and effectively when children are in serious danger. Some reports are left uninvestigated for weeks at a time. In other cases, investigators miss key facts as they rush to clear cases. Dangerous home situa-

tions receive inadequate supervision as workers ignore pending cases to investigate new reports that arrive daily on their desks.

Reports of suspected child abuse have so overwhelmed the system that surveys of State administrators indicate that the child protective system (CPS) is routinely placing children in jeopardy. Approximately one-third of State CPS agencies were unable to investigate reports within 24 or 48 hours, as required by law. In New York City, for example, in 11 percent of cases, no home visit had occurred within 40 days after reports were filed. In the same period of time, children had not been examined in 22 percent of the cases. Alleged perpetrators had not been interviewed in 17 percent of the cases. The potential compromise in the safety of children is obvious. Over half of the children who die from abuse and neglect come from families previously investigated by Child Protective Service.

The large number of unsubstantiated reports may be due in part to the breadth of child abuse reporting laws. For 30 years, program administrators and politicians have joined cause to encourage even more reports of suspected child abuse and neglect.

Under threat of civil and criminal penalties, mandated reporter laws require most professionals who have contact with children to report suspected child abuse and neglect. About 20 States require all citizens to report, and in every State, any citizen is permitted to report.

These reporting laws, associated with public awareness campaigns and professional education programs, have been strikingly successful. In 1993, there were approximately 3 million reports of children suspected of being abused or neglected. This is a twenty-fold increase from 1963, when about 150,000 children were reported to the authorities.

Many ask whether this vast increase in reporting signals a rise in the incidence of child maltreatment or whether the maltreatment existed before and was not identified. Unfortunately, so many cases of maltreatment previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons.

As a result of these laws, many thousands of children have been saved from serious injury and even death. The best estimate is that over the past 20 years, child abuse and neglect deaths have fallen from over 3,000 a year to about 1,200 a year.

But further improvement of the system requires reducing the number of unfounded and false reports. The problems of non reporting and inappropriate reporting are linked and must be addressed together before further progress can be made in combating child abuse and neglect.

Along with the increase in reports of child abuse and neglect, there has been a dramatic increase in the number of children removed from their homes and placed in foster care. At the end of 1993, an estimated 443,796 children were in foster care; by March 2000, an estimated 588,000 children were in foster care. This represents an increase of 25 percent.

While child maltreatment occurs in all socioeconomic and cultural groups, poverty makes child maltreatment much more likely to be reported. This is also reflected in the high rates of poverty among ethnic minorities. Minority children enter the child protec-

tion system in disproportionately large numbers and are far more likely to remain in substitute care for longer periods of time.

The system is seeing a large increase in the number of children entering it in addition to an increasing complexity in the problems that these children bring. The population in foster care is even more disturbed, with significant numbers being drug exposed.

All of these factors have caused a crisis in the child protection system. In its 1990 report entitled "Critical First Steps in Response to a National Emergency", the United States Advisory Board on Child Abuse and Neglect found the Child Protective System to be failing. According to the report, "It is not a question of acute failure of a single element of the system; there is chronic and critical multiple organ failure. In such a context, the safety of children cannot be ensured. Indeed, the system itself can at times be abusive to children."

Five years later, the same Board found little had changed: "state and local CPS caseworkers are often overextended and cannot adequately function under their current caseloads." The report also stated that, "in many jurisdictions, caseloads are so high that CPS response is limited to taking the complaint call, making a single visit to the home, and deciding whether or not the complaint is valid, often without any subsequent monitoring of the family."

A 1997 General Accounting Office (GAO) report found, "the CPS system is in crisis, plagued by difficult problems, such as growing caseloads, increasingly complex social problems and underlying child maltreatment, and ongoing systemic weaknesses in day-to-day operations." According to GAO, CPS weaknesses include "difficulty in maintaining a skilled workforce; the inability to consistently follow key policies and procedures designed to protect children; developing useful case data and record-keeping systems, such as automated case management; and establishing good working relationships with the courts."

Unfortunately, the foster care system has been unable to respond adequately to the demands generated by the large numbers of children being placed in care. In many States, no one even knows exactly how many children are in care or how much it costs. In some States, children do not know the name of their CPS caseworker, whom they rarely often see. Moreover, most maltreated children, even after they have been identified as such by public authorities and placed in foster care, do not receive treatment.

Too often, children are abused in foster homes. According to Professor Richard Wexler, in his book *Wounded Innocents*, "Foster care is not a haven. Often it is not even safe. Most people assume that removing children from their parents means removing them from danger and placing them in safety. Often, it is the other way around."

And, in joint testimony, the National Center for Youth Law and the Youth Law Center told a congressional committee panel, "our offices have become painfully aware of many situations where children's health and lives are in greater jeopardy in foster homes than they were while they were living with their families."

Foster care is far from the only difficulty in the child protection system. The Advisory Board's report also states: "No matter which element of the system that it [the Advisory Board] examined—prevention, investigation, treatment, training, or research—it found a

system in disarray, a societal response ill-suited in form or scope to respond to the profound problems facing it. It was forced to conclude that the child protection system is so inadequate and so poorly planned that the safety of the Nation's children cannot be assured."

Child welfare policy must continue to place a high emphasis on safety and to differentiate between those children who are in danger of serious injury and those who are not. Ensuring the safety of children placed in its care must be the primary goal of child protective services systems. Where a child can safely remain at home, he should be allowed to. No longer can we assume that a child will automatically be better off placed outside the home. Safety, even in foster care, must be considered a first priority.

III. LEGISLATIVE HISTORY AND COMMITTEE ACTION

The first Federal programs specifically designed to address concerns regarding child abuse and neglect in this country were authorized under the Child Abuse Prevention and Treatment Act (Public Law 93-247), enacted in 1974. This legislation provided Federal financial assistance for identifying, preventing, and treating child abuse and neglect. The act has since been extended through fiscal year 2001 and has been amended to expand the scope of activities. It also authorizes the Family Violence Prevention and Services Act, the Adoption Opportunities Act and the Abandoned Infants Assistance Act.

The original Child Abuse Act authorized the creation of the National Center on Child Abuse and Neglect (NCCAN) to help establish the parameters of the problem and to provide incentives for developing effective methods of treatment. The act also authorized demonstration grants and a State grant program for activities relating to preventing and treating child abuse and neglect. To be eligible for funding under the State grant program, States were required to establish systems for reporting and investigating child abuse and neglect and for providing immunity from prosecution for persons so reporting.

In 1978, the act was amended by Public Law 95-266, which extended the programs under the act through fiscal year 1981 and, among other things, expanded the Center's grant making authority. It also required the establishment of research priorities and earmarked funds for the prevention and treatment of child sexual abuse. In response to concerns that Federal assistance was needed to help facilitate adoption of children, particularly those whose placement was constrained by being of school age or being disabled, the 1978 amendments also authorized through fiscal year 1981 a new adoption opportunities program to help eliminate barriers to adoption.

In 1981, the Child Abuse Prevention and Treatment Act and the Adoption Opportunities Act were extended through fiscal year 1983 under the Omnibus Budget Reconciliation Act (Public Law 97-35); and in 1984, the programs were extended through fiscal year 1987 under amendments to the Child Abuse Act (Public Law 98-457). The 1984 amendments expanded the Center's responsibilities to include additional studies. They required, as an additional criterion for eligibility for the State grant program, that States implement systems for responding to reports of medical neglect in cases in-

volving severely disabled newborns; and authorized a new State grant program and other assistance to help States develop and run systems for responding to reports of medical neglect, including withholding of medically indicated treatment from disabled infants with life-threatening conditions. The 1984 amendments also authorized a new State demonstration program in the area of family violence prevention and services.

The Child Abuse Prevention Federal Challenge Grants Act was enacted on October 12, 1984, as title IV of Public Law 98-473, the continuing appropriations bill for fiscal year 1985. In enacting this legislation, the Congress found that since 1980 certain States had begun to recognize the critical need for child abuse prevention efforts and had established Children's Trust Funds. These State funds were generated by surcharges on marriage licenses, birth certificates, and divorce actions or by special indication on State income tax returns. This allowed States to pay for child abuse and neglect prevention activities in the face of depressed State economies and budget cutbacks. Money for child abuse prevention projects had historically been lacking because of the need to direct limited resources toward treating the increasing numbers of children already abused. Only one or two States had direct appropriations to support the broad range of child abuse and neglect prevention activities.

At the time, no Federal funds were directed specifically at assisting State efforts to prevent child abuse and neglect. When the legislation was enacted, 20 States had set up special funds for child abuse prevention. The kinds of programs supported by these special funding mechanisms ranged from classes on parenting and coping with family stress to statewide public education campaigns and special sexual abuse prevention training for children. The Challenge Grant program was developed to encourage all States to establish and maintain significant funds to support child abuse prevention projects. The number of States receiving funding under the Challenge Grant program increased from 33 States in fiscal year 1986, the first year of appropriations for the program, to 47 States which were awarded a total of \$4,933,501 in fiscal year 1990.

In 1986, the Child Abuse Act was amended by provisions of the Children's Justice and Assistance Act (Public Law 99-401), establishing a new State grant program for improving the administrative and judicial handling of child abuse cases, especially those involving child sexual abuse. Funding for this program is derived from fines collected from persons convicted of certain Federal offenses.

In 1988, the Child Abuse Prevention and Treatment Act was reauthorized (Public Law 100-294), extending its programs through fiscal year 1991. The 1988 amendments also established a new interagency task force and a newly constituted Advisory Board on Child Abuse and Neglect.

The Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (Public Law 101-126) reauthorized the Challenge Grant program through fiscal year 1991 and transferred it to the Child Abuse Prevention and Treatment Act as title II. The program is administered by NCCAN under the Department of Health and Human Services (HHS). HHS announces the availability of Federal funds and determines State eligibility for Federal challenge grants.

Subject to appropriations, States are awarded the lesser of (1) 25 percent of State funds made available for prevention in the previous year or (2) 50 cents for every child living in the State.

In 1996, the Child Abuse Prevention and Treatment Act was reauthorized (Public Law 104–235), extending its authorization through fiscal year 2001. The act made significant changes to better target abuse and neglect prevention resources enhance the ability of States to respond to actual cases of abuse and neglect and to consolidate and coordinate Federal data collection efforts in order to gain a better perspective on the trends of child abuse and neglect and find effective methods of prevention and treatment efforts.

Subtitle B—Community-Based Grants for the Prevention of Child Abuse

History of Community-Based Family Resource and Support Grants

The Community-Based Family Resource and Support Grants (Title II of CAPTA) represent a consolidation and revamping of a number of programs Congress authorized over the past two decades. These include the Child Abuse Prevention Challenge Grants, the Emergency Child Abuse Prevention Services Grants, the Family Resource and Support Programs, the Temporary Child Care for Children with Disabilities and Crisis Nurseries Grants, and the Family Support Program of the McKinney Homeless Act.

Community-Based Child Abuse and Neglect Prevention Grants

The Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (Public Law 101–126) reauthorized the Challenge Grants Program through fiscal year 1991 and transferred it to title II of the Child Abuse Prevention and Treatment Act. This program was administered by NCCAN. The Child Abuse, Domestic Violence, Adoption, and Family Services Act of 1992 (Public Law 102–295) modified this program and changed the name to “the Community-Based Child Abuse and Neglect Prevention Grants.” The purpose of this program was to assist States in supporting child abuse and neglect prevention activities. States were eligible for grants if they had established trust funds for the administration of child abuse prevention activities. Funds were distributed to all such States based on child population and the amounts of non-Federal funds collected by States for their trust funds. Between fiscal year 1991 and fiscal year 1994, funding levels for this program ranged from \$5.4 million to \$5.3 million.

Emergency Child Abuse Prevention Services Grants

The Emergency Child Abuse Prevention Services Grants program was intended to provide services to children whose parents were substance abusers. Grants were made directly to local public and nonprofit organizations to provide these services. Between fiscal year 1991 and fiscal year 1994, funding for this program ranged from \$19.5 million to \$19.0 million.

Family Resource and Support Centers Program

In 1990, the Family Resource and Support Centers Program was established (by Public Law 101–501) to fund States, on a competi-

tive basis, to establish statewide networks of family support programs, in collaboration with existing health, mental health, education, employment and training, child welfare, and other social services agencies within the State. In order to provide adequate funding for this broad charge, the grants were required to be at least \$1.5 million per year. With funding at around \$5 million in fiscal years 1992–94, HHS awarded three grants of \$1.5 million each to Maryland, Virginia, and Connecticut. Each State took a unique approach to the operation of this program. One administered it through a Health Department, another through an Education Department, and the third through a private nonprofit entity.

Programs established under this authority were designed to operate consistent with the family support philosophy: the basic relationship between programs and the family is one of equality and respect; participants are a vital resource; programs are community-based and culturally and socially relevant to the families they serve; parent education, information about human development, and skill building for parents are essential elements of every program; and programs are voluntary. The collaborative efforts of these programs resulted in critical innovations at the State level. These efforts also strengthened existing comprehensive programs in communities and tested innovative approaches at the local level. Services provided included parent education, early childhood development, outreach, community and social services referrals, housing assistance, job training, and parenting support, all of which help prevent child abuse.

1994 Consolidation

Because the response to the Family Resource and Support program was so positive, Congress broadened the program and expanded it to all States in the Human Services Amendments of 1994 (Public Law 103–352). The Human Service Amendments of 1994 consolidated three programs into the new Community-Based Family Resource Programs, which was placed in Title II of CAPTA. Two of the consolidated programs had been part of CAPTA: the Emergency Child Abuse Prevention Services Grants (Section 107A of CAPTA), and the Community-Based Child Abuse and Neglect Prevention Grants (Title II of CAPTA). In addition, the 1994 amendments consolidated the Family Resource and Support Program, which was part of the Claude Pepper Young Americans Act of 1990 (enacted as Title IX of the Augustus F. Hawkins Human Services Reauthorization Act of 1990).

These amendments sought to establish and promote statewide networks of family support programs, using innovative approaches to blending funds and leveraging additional resources that were central to the Community-Based Child Abuse Prevention Grants. These programs were designed to operate with the same family support philosophy that was embedded in the Family Resource and Support program.

This program was intended to further enhance the States' abilities to develop comprehensive networks of family support programs. The funding was meant to supplement, rather than supplant, other State funding. The program encouraged States to le-

verage a broad array of public and private funding for the development of the networks.

Congress intended that each State would choose an organization to act as the lead entity. The lead entity differs from State to State, but in each State it is the most appropriate organization to carry out the mission of the program. The lead entity is required to demonstrate the ability to work with other State and community-based agencies to provide training and technical assistance; a commitment to parental participation in the design and implementation of family resource programs; the capacity to promote a statewide network of family resource programs; and the capacity to exercise leadership in implementing effective strategies for capacity building, and access to funding for family resource services across agencies.

The Community-Based Family Resource Program was authorized at \$50 million for fiscal year 1995. The program was included as title II of the Child Abuse Prevention and Treatment Act and was authorized for only one year in order to put it on the same reauthorization cycle as the rest of CAPTA.

The 1996 amendments to CAPTA rewrote Title II of the act and renamed it the Community-Based Family Resource and Support Grants (Public Law 104–235). The act further consolidated a number of small programs into the new program. The following programs were repealed as part of the consolidation: Community-Based Family Resource Programs, the Temporary Child Care for Children with Disabilities and Crisis Nurseries Grants, and the Family Support Program (under the McKinney Homeless Assistance Act).

TITLE II—ADOPTION OPPORTUNITIES ACT

The Adoption Opportunities Act was originally enacted in fiscal year 1978. The most significant reauthorization of this act occurred in 1992. These amendments included requiring the Secretary of Health and Human Services to conduct extensive recruitment efforts for potential adoptive parents and to promote professional leadership training of minorities in the adoption field. A total of \$30 million was authorized for the act in fiscal year 1992, which included \$10 million for general grant activities, \$10 million for minority children placement grants, and \$10 million for grants increasing the placement rate of foster children legally available for adoption.

The act awards grants on a competitive basis to States and to public or private nonprofit child welfare or adoption agencies, among others, for several activities, including a national exchange to link prospective parents with children who are free for adoption. It also provides training and technical assistance to States to help public and private agencies improve adoption practices. In addition, funds support an adoption information clearinghouse containing information on adoption in the United States.

In 1996, the Adoption Opportunities Act was reauthorized along side of CAPTA by (Public Law 104–235). The act required each State to improve State efforts to increase the placement of foster children legally free for adoption among other more minor modifications.

TITLE III—ABANDONED INFANTS ASSISTANCE ACT

The Abandoned Infants Assistance Act was enacted in fiscal year 1988 (P.L. 100–505) in response to problems with substance abusing parents and the increase in the number of boarder babies abandoned in hospitals. The program funds discretionary grants to public and private nonprofit organizations for a number of activities relating to the needs of these children, in particular those with Acquired Immune Deficiency Syndrome (AIDS). These activities include programs aimed at preventing the abandonment of children and the recruitment and training of health and social service personnel. This program is administered by the Administration on Children, Youth and Families of the Department of Health and Human Services.

Despite the lack of conclusive evidence, there is widespread consensus among experts in the field that crack cocaine is the driving force behind the increasing numbers of children entering foster care and the fairly new phenomenon of boarder babies. The Abandoned Infants Assistance Act targets its funds to boarder babies, rather than drug-affected children in general. Drug-affected children and their mothers can receive services under several Federal programs including the Social Services Block Grant, Child Welfare Services, the Child Abuse Act, Medicaid, and the Maternal and Child Health Block Grant (title V of the Social Security Act). As drug-affected children (including boarder babies) and their families require more attention, providing prevention services and coordinating services among programs are issues that may need to be addressed.

The Abandoned Infants Assistance Act Amendments of 1991 (P.L. 102–236) extended the Abandoned Infants Act through fiscal year 1995 and set the authorization level at \$25 million for fiscal year 1992. The act authorized new residential service centers to provide support to infants, and young children and their natural, foster, and adoptive families.

In 1996, the Abandoned Infants Assistance Act was reauthorized alongside of CAPTA by (Public Law 104–235). The act directed the Secretary to give priority in making grants to applicants in States that have developed and implemented proceedings for expedited termination of parental rights and placement for adoption of infants determined to be abandoned under State law.

TITLE IV—FAMILY VIOLENCE PREVENTION AND SERVICES ACT

The Family Violence program provides grants to States to assist in supporting programs and projects to prevent incidents of family violence and provide immediate shelter and related assistance for victims of family violence and their dependents.

According to the U.S. Department of Justice, between 1 and 4 million women experience serious assault by an intimate partner each year. The effects of that violence are felt on every level of society. Some 56 percent of cities surveyed by the U.S. Conference of Mayors in 2000 identified domestic violence as a primary cause of homelessness. Homicide is the leading cause of death for women in the workplace (Bureau of Labor Statistics, 1996). Domestic Violence costs our health care system between \$5 and \$10 billion

(Texas Council on Family Violence, 2002) and our employers between \$3 and \$5 billion in lost productivity each year (Bureau of National Affairs, 1994). The American Psychological Association has found that exposure to domestic violence is the single strongest risk factor for transmitting violence from one generation to the next (1996).

Victims of family violence need several sources of support to reestablish safety for themselves and their children. Shelter is critical. Shelters for abused women were first established in 1975. While the number of shelters and services for domestic violence victims in the United States has increased significantly, it has been estimated that three out of four women who seek the safety of a family violence shelter are denied access due to insufficient space. Shelters and transitional housing also play a crucial role in linking victims to appropriate services such as transportation, counseling, advocacy and other casework assistance. Without access to such supports, women continue to face the dilemma of living amidst violence or forgoing their economic livelihood.

One of the most significant negative impacts of domestic violence is its impact on children. Studies have shown that child abuse occurs in 30–60 percent of domestic violence cases in families where there are children (Edleson, 1999). Too often service providers who encounter children in domestic violence situations are unable to provide appropriate services to those children. The need for positive intervention to help children is clear.

Research shows not only that children may also be abused by the abusive spouse, but that children who are exposed to domestic violence suffer emotional problems including post-traumatic stress disorder, alcohol and substance abuse and suicidality. Research has also clearly concluded that children from violent homes struggle more in school. They have higher incidences of impaired concentration, poor school attendance, being labeled an underachiever, and difficulties in cognitive and academic functioning. And, according to the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice, as many as 40 percent of violent juvenile offenders come from homes where there is domestic violence. Witnessing domestic violence has also been found to be the best predictor for becoming a perpetrator of domestic violence as an adult. (Osofsky and Fenichel, 2000).

The Family Violence Prevention and Services Act (P.L. 98–457) was enacted in fiscal year 1984 to assist States (and Indian tribes) to prevent family violence, to provide immediate shelter for victims of family violence and their dependents, and to provide technical assistance and training relating to family violence programs. The programs under the act are administered by the Administration for Children, Youth, and Families of the Department of Health and Human Services. The act authorized three grant programs: (1) demonstration grants to States (and Indian tribes) for prevention programs, shelters and related assistance; (2) law enforcement training and technical assistance grants for regionally based programs; and (3) information and training grants to foster cooperation between law enforcement agencies, domestic violence shelters, social service agencies and hospitals.

The Family Violence Act also authorizes a national information and research clearinghouse on the prevention of family violence (in-

cluding the abuse of elderly persons) and a family member abuse information and documentation project to provide for objective documentation of data on the victims of family violence.

Domestic violence programs had, in fact, preceded Federal legislation. Shelters for abused women were first established in 1975. The number of shelters in the United States has subsequently increased from just 4 to over 1,200. Between 60 percent and 70 percent of women who utilize shelters do not return to their abusive partners after their stay (Strube, 1988). The availability of shelters has also been associated with a decline in the rate of female-perpetrated homicide against a partner (Browne & Williams, 1989).

Nonetheless, three out of four women who seek the safety of a family violence shelter are denied access due to insufficient space. Women continue to face the dilemma of living amidst violence or fleeing. Forty percent of the homeless women in New York are thought to be victims of family violence. Research has shown that lack of economic support and "having no place to go" are predictive of return to an abusive spouse after a stay at a shelter.

Victims of family violence need several sources of support to reestablish safe lives. Financial assistance is usually critical. Many victims, however, are intimidated by the process of obtaining assistance or are uncertain about how to obtain such services. Shelters play a crucial role in linking victims to the appropriate services for transportation and technical assistance, which help to ease the transition between shelter residence and permanent housing and employment.

Current committee action

S. 342, the Keeping Children and families Safe Act was introduced on February 10, 2003 by Senators Gregg, Kennedy, Dodd and Alexander and was referred to the Committee on Health, Education, Labor and Pensions. The committee met in Executive Session on February 12, 2003 to consider S. 342. No amendments were offered. The bill was adopted unanimously by roll call vote and reported favorably to the full Senate.

IV. EXPLANATION OF LEGISLATION AND COMMITTEE VIEWS

General goals

The committee has three general goals for this legislation: (1) to encourage new training and better qualifications for CPS workers; (2) to encourage links between agencies to better improve services for children; and (3) to strengthen initiatives to prevent child abuse and neglect.

National Clearinghouse for information relating to child abuse

Section 111 modifies section 103(b) to ensure that the Clearinghouse maintains information on all effective programs, including private and community-based programs that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect and hold the potential for broad scale implementation and replication. The Clearinghouse also would be required to maintain information about the best practices used for achieving improvements in child protection systems; and, provide technical assistance related to improving han-

dling of child physical and sexual abuse cases and provide information about training resources for State and local individuals across a variety of disciplines who work, or may work with, child abuse and neglect cases.

Best practices for referrals

Section 103(c)(1) is amended to require HHS to collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing the physical, developmental, and mental health needs of abused and neglected children.

The committee believes that children who have been referred to the child welfare system on suspicion of abuse or neglect may be at greater risk for health problems. Collaborative approaches, linkages and effective interagency cooperation may help ensure that children receive the help that they need.

Research

Section 112 amends section 104(a) to include longitudinal studies as part of the interdisciplinary research HHS must conduct on child abuse and neglect and requires that HHS must primarily focus this research on certain topics, including development and identification of successful early intervention services or other services that are needed; the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protection services systems to promote effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment; an evaluation of the redundancies and gaps in services to make better use of resources; and the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low income children who need health services, including mental health services.

In addition, this section requires the Secretary to undertake a National Incidence Study (NIS) and requires the study to include the incidence and prevalence of child maltreatment by a wide array of demographic characteristics. The Secretary is required to submit the National Incidence Study to Congress no later than 4 years after the date of enactment.

The committee encourages the Secretary to use a wide array of demographic characteristics in conducting the new NIS. It is the committee's intent in requesting such a wide array of characteristics to better understand the demographics of child abuse and neglect, to better target services to those who need them and to better target prevention initiatives to at-risk families.

The committee also recommends that the Secretary carry out a program of research that is designed to provide information regarding the availability and accessibility of programs and services for the prevention, assessment, identification, investigation, and treatment of child abuse and neglect in rural areas. Research should focus on factors which may include the availability and accessibility of health care professionals trained in the identification and treatment of child abuse and neglect, court appointed special advocates, guardian ad litem, multi-disciplinary child advocacy centers and other programs and services that the Secretary deems necessary.

Rural, for the purposes of this demonstration, is defined consistent with the Rural Domestic Violence Grant Program, as a State that has a population density of 52 or fewer people per square mile or a State in which the largest county has fewer than 150,000 people.

Technical assistance

This section also amends section 104(b) to include private agencies and community-based organizations as organizations who should receive technical assistance in planning and carrying out programs related to preventing, identifying, and treating child maltreatment as well as for effective approaches being utilized to link child protection service agencies with health care, mental health care, and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.

Demonstration programs and projects

The committee has moved “Demonstration Programs” from section 105 of current law to section 104 of CAPTA. The revised Section 105 allows States, public organizations, and private organizations to apply for funding specific programs to improve CPS systems and protect children.

As revised, such projects include:

- Promotion of Safe, Family-Friendly Physical Environments for Visitation and Exchange;

- Education Identification, Prevention, and Treatment for projects that provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools;

- Risk and Safety Assessment Tools for projects that provide for the development of risk and safety assessment tools relating to child abuse and neglect;

- Training for projects that involve innovative training for mandated child abuse and neglect reporters; and

- Comprehensive adolescent victim/victimizer prevention programs.

The Committee has emphasized projects that hold the promise of improving both the CPS system and the safety of children. A new demonstration project has been added to promote the development and implementation of better risk and safety assessment tools.

The Committee urges the Secretary to fund time-limited demonstration programs which evaluate various approaches to risk assessment and reliable tools for CPS caseworkers to use in determining the need, if any for follow-up.

Another new demonstration project has been added to allow the Secretary to award grants to organizations that demonstrate innovation in preventing child sexual abuse through school-based programs in partnership with parents and community-based organizations to establish a network of trainers who will work with schools to implement the program. The program shall be comprehensive, meet State guidelines for health education, and should reduce child sexual abuse by focusing on prevention for both adolescent victims and victimizers.

Training

The Committee is very concerned with the multitude of problems revealed in the APHSA–CWLA report about the condition of the CPS workforce. In fiscal year 2000, turnover rates among CPS and other direct service workers were high—22 percent and 18 percent respectively. As states face turnover problems, the issue of training must be addressed. The level of training varies by State and availability of funding. CPS workers face many situations that place their own safety at risk. They must be prepared to face a variety of complex situations and emotions as they confront families with allegations of abuse. In addition, professionals from many other agencies are in positions to identify potential child abuse and neglect cases, including medical personnel, teachers, and law enforcement personnel. The committee is concerned that because of staffing shortages, training often takes a back seat, and as a result urges the Secretary to fund projects that improve the training opportunities for CPS workers as well as workers in related fields.

Section 105(a) has been amended to provide grants for programs designed to improve training to CPS and other child and family service workers, (including supervisors). Suggested projects include training workers on how to best work with families from initial investigation through treatment; cross-training to better recognize neglect, domestic violence or substance abuse in a family; training to strengthen linkages between CPS and health agencies including physical and mental health services and to promote partnerships that offer creative approaches to meet the needs of abused children.

The committee is also very concerned by the lack of uniform training opportunities being made available to court appointed special advocates (CASA's) and guardian ad litem and has included provisions to ensure that they have training appropriate to the role.

Finally, the committee calls for a GAO study on CPS training to better understand the nature and scope of CPS training challenges and requests recommendations to improve such training.

Service collaboration

Throughout several sections of the bill, the committee has sought to encourage States to create or improve links between child protection services and education, health, mental health, and the judicial system. These linkages are vital to ensuring that children who are abused or neglected are properly identified and receive referrals to appropriate services where necessary and are able to move between these various systems smoothly and effectively. In addition, the bill would promote partnerships between public agencies and community-based organizations to provide child abuse and neglect prevention and treatment programs and would require States, as a condition of receiving State grant money, to have policies and procedures to have triage for the referral of a child not at imminent risk of harm to a community or voluntary child maltreatment prevention service.

Individual rights

The committee has also included a requirement for training of CPS workers on their legal responsibilities in order to protect the constitutional and statutory rights of children and families.

While the committee is strongly committed to the main mission of the child protective services system—to ensure that child safety and the best interests of the child are protected, the committee believes it is important for child protective services personnel to understand and respect fourth amendment limitations on their right to enter a home when investigating an allegation without a court order.

The committee firmly believes that individuals being investigated for alleged child maltreatment should be informed of the specific allegations made against them. S. 342 addresses this issue by requiring States to have policies and procedures in place to require child protection workers, at the initial time of contact, to advise individuals who are subject to a child abuse and neglect investigation of the complaints or allegations made against them. The committee recognizes that it is a basic right for all citizens to be informed of what crime they are being accused of at the time they are being asked for an interview or entry into their home.

Mutual support programs

This section continues to call for funding of mutual support programs but removes a specific example of such an organization from the Federal statute. Many community-based organizations such as Parents Anonymous and Prevent Child Abuse America have historically provided many valuable mutual support services for families at the local level. The Secretary is encouraged to consider such organizations and others that operate programs that incorporate quality standards and demonstrate effectiveness in their efforts to prevent child abuse and neglect.

Citizen review panels

The committee has modified the section on Citizen Review Panels to provide for public outreach and comment in order to assess the impact of current procedures and practices upon children and families in the community and in order to assess whether State and local CPS agencies are effectively accomplishing their duties.

Protecting infants prenatally exposed to drugs

S. 342 includes a requirement for States to have in place policies and procedures (including appropriate referrals to CPS systems and for other appropriate services) to address the needs of infants born and identified with illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure. Currently, 12 States and the District of Columbia have some form of specific reporting procedures for infants who are born addicted to drugs or alcohol. The committee believes that any child who is experiencing symptoms or showing signs of addiction to or withdrawal from drugs should, at a minimum, receive prompt and appropriate medical care and a referral to child protective services for further investigation and intervention, where warranted. While the committee felt constrained, because of limited ability to detect and diagnose it at birth, not to include prenatal exposure to alcohol in this requirement, the committee remains concerned about the affects of alcohol on infants and possible later diagnosis of fetal alcohol syndrome.

The committee wants to be clear that it is not intending to preempt State law regarding what constitutes child abuse or requirements for prosecution, nor does the committee intend to signal that States should no longer investigate cases involving prenatal exposure to alcohol.

Community-Based Family Resource Support Grants

The committee has revised the current Community-Based Family Resource and Support Grants program to ensure that grant funds are allocated to a wide array of community-based organizations for the prevention of child abuse and neglect.

Although the committee has deleted references to the word “network” in many places, it is not the intent of the committee to alter State practices of funding networks or to de-emphasize the important role that networks can play in conducting prevention programs. Although the committee has deleted the words “family resource and support programs” from this section, to replace that term with “community-based programs and activities”, the committee does not intend to de-emphasize the role that resource and support programs play or to alter State practices in any way. It should be clear from the definition of community-based programs and activities designed to prevent child abuse and neglect that Family Resource Centers and Family Support Centers are included under the definition of the new term as are other community-based organizations who may not have previously participated in this program.

TITLE II—ADOPTION OPPORTUNITIES ACT

The Adoption Opportunities Act seeks to find permanent families for children, who are free for adoption, especially children with special needs.

Eliminating barriers to interjurisdictional adoptions

The Adoption Opportunities Act is intended to eliminate barriers to adoption and to provide permanent homes for children who would benefit from adoption, particularly special needs children. The committee has revised this section to call attention to the need to eliminate continued geographic barriers to adoption, as well as the need to improve efforts to increase the number of older children who are adopted (who are in foster care and who currently are least likely to be adopted).

S. 342 gives the Secretary of Health and Human Services the authority to make grants to: (1) develop a uniform home study and protocol for acceptance of home studies between States and jurisdictions; (2) develop models of financing cross-jurisdictional placements; (3) expand the capacity of all adoption exchanges to serve increasing numbers of children; (4) develop training materials and training social workers on preparing and moving across State lines; and (5) develop and supporting initiatives for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.

Additionally, the committee is requiring HHS to study the nature, scope and effect of interstate placement of children in adoptive homes by public and private agencies and how interstate placements are being financed across State lines and to, in consultation

with the General Accounting Office, submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children no later than 1 year after the date of enactment of this act.

TITLE III—ABANDONED INFANTS ASSISTANCE ACT

Under current law, grantees must ensure priority for their services is given to abandoned infants and young children who are HIV-infected, perinatally exposed to HIV, or perinatally drug-exposed. The committee revised the act to maintain priority service for these children, but broaden the priority category to include abandoned infants and young children who have life-threatening illnesses or other special medical needs.

TITLE IV—FAMILY VIOLENCE PREVENTION AND SERVICES ACT

The Family Violence program provides grants to assist in supporting programs and projects to prevent incidents of family violence and to provide immediate shelter and assistance to victims of family violence and their children.

National Domestic Violence Hotline and electronic network

As amended by section 211, this section establishes a highly secure electronic network to link domestic violence shelters and service providers and the National Domestic Violence Hotline on a confidential website. The website would provide a continuously updated list of shelter availability anywhere in the United States at any time and would provide comprehensive information describing the services each shelter provides such as medical, social and bilingual services. It would also provide internet access to shelters that do not have appropriate technology. While the committee has authorized \$5 million in fiscal year 2003 and such sums for fiscal years 2004 through 2007 it has also provided that funds for the network enhancement will not be made available by the Secretary until total appropriated funds reach an annual level of \$3 million.

The committee believes it is important to establish a website that would allow National Domestic Violence Hotline operators, who have received over 700,000 calls since the Hotline's inception in 1996, shelter based advocates and relevant State and local domestic violence service providers around the country to more quickly and easily find the most appropriate shelter for families seeking safety from abuse. By establishing a highly secure and confidential web site to keep a continuously updated, nationwide list of available shelter and services for victims of domestic violence and their families, the grantee would help ensure that whenever a woman calls the Hotline or a shelter seeking help, the operator could immediately place the caller in the most appropriate shelter to meet her family's needs for safety, location, language and other services without the caller ever having to hang up the phone.

The committee is aware of the existence of a web-link program based in the State of Minnesota. Minnesota's Day One Program has run a highly successful, confidential website that links every

shelter in the State. Day One reports that 90 percent of women and children who call are assured appropriate services and shelter in a single call. This is critical since needing to make and receive multiple follow-up calls to find the most appropriate shelter has been a major barrier for women trying to escape an unsafe situation. In addition, based on the Day One experience, the committee believes that the new technology will save staff time by reducing the number of calls staff has to make to find the best placement for clients.

Children Exposed to Domestic Violence Program

This committee bill authorizes the Secretary to make grants aimed at addressing the needs of Children Exposed to Domestic Violence. The Bureau of Justice Statistics reported in 2000 that of all houses where there is violence between adults, 43 percent have children younger than 12. There is overwhelming evidence that witnessing domestic violence in the home leads to significant health, emotional and educational problems for youth. In addition, there is strong evidence to show that children exposed to domestic violence are more likely to commit crimes as juveniles and as adults. Research further indicates that many women who have been abused return to abusive relationships as adults and often people who have suffered abuse end up being abusers themselves, thus perpetuating the cycle of family violence between generations.

The committee believes that service providers need to be better able to address the unique needs of these children so as to prevent the significant problems associated with exposure to domestic violence. The committee therefore supports funding programs for domestic violence shelters and service providers to provide counseling and other supports such as advocacy, respite care, educational and other services to address the unique needs of children.

V. COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 24, 2003.

Hon. JUDD GREGG,
*Chairman, Committee on Health, Education, Labor, and Pensions,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 342, the Keeping Children and Families Safe Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Donna Wong.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 342—Keeping Children and Families Safe Act of 2003

Summary: Programs under the Child Abuse Prevention and Treatment Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 were authorized through 2001. These programs were continued in 2002 by the 2002 Department of Health and

Human Services Appropriations Act and in 2003 by the Consolidated Appropriations Resolution, 2003 (Public Law 108–10). S. 342 would reauthorize these programs through 2008. It also would extend authorizations through 2008 for some programs authorized under the Family Violence Prevention and Services Act. Most programs under that act are currently authorized through 2005.

The bill would authorize appropriations of \$315 million in 2004. CBO estimates that authorizations under S. 342 would total about \$2.2 billion over the 2004–2008 period, assuming that annual levels are adjusted to keep pace with inflation when specific annual authorizations are not provided. (Without such inflation adjustments, the authorization total would be about \$2.1 billion over the 2004–2008 period.) CBO estimates that appropriations of the authorized levels would result in additional outlays of \$1.4 billion over the 2004–2008 period, if inflation adjustments are included. Enacting S. 342 would not affect direct spending or receipts.

S. 342 contains no intergovernmental or private-sector mandates as defined in UMRA. A significant portion of the funds authorized by S. 342 would be available for grants to state, local, and tribal governments. Any costs those governments incur to fulfill requirements of the grants would be conditions of assistance and thus voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 342 is shown in Table 1. The costs of this legislation fall within budget function 500 (education, training, employment, and social services).

TABLE 1.—ESTIMATED BUDGETARY EFFECTS OF S. 342, THE KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2003

	By fiscal year, in millions of dollars—					
	2003	2004	2005	2006	2007	2008
SPENDING SUBJECT TO APPROPRIATION						
With Adjustments for Inflation						
Spending under current law:						
Budget authority/authorization level ¹	263	183	183	0	0	0
Estimated outlays	241	241	198	164	55	17
Proposed changes:						
Estimated authorization level	0	315	321	510	516	523
Estimated outlays	0	36	168	275	445	497
Spending under S. 342:						
Estimated Authorization level	263	498	504	510	516	523
Estimated outlays	241	276	365	439	501	514
Without Adjustments for Inflation						
Spending under current law:						
Budget authority/authorization level ¹	263	183	183	0	0	0
Estimated outlays	241	241	198	164	55	17
Proposed changes:						
Estimated authorization level	0	315	315	498	498	498
Estimated outlays	0	36	167	272	438	483
Spending under S. 342:						
Estimated authorization level	263	498	498	498	498	498
Estimated outlays	241	276	365	436	493	501

¹ The 2003 level is the amount appropriated for that year for programs authorized under the Child Abuse Prevention and Treatment Act, the Child Abuse Prevention, Treatment, and Adoption Reform Act of 1978, the Abandoned Infants Assistance Act of 1988, and the Family Violence Prevention and Services Act. The amounts shown for 2004 and 2005 are current authorization levels for certain programs under the Family Violence Prevention and Services Act.

Notes.—Components may not sum to totals because of rounding.

Basis of estimate

S. 342 would authorize funding through 2008 for various programs created under the Child Abuse Prevention and Treatment Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, the Abandoned Infants Assistance Act of 1988, and the Family Violence Prevention Services Act. Programs authorized under the first three acts would be reauthorized at specific levels for 2004 and for such sums as may be necessary for 2005 through 2008. Programs authorized by the Family Violence Prevention and Services Act, most of which are already authorized through 2005, would be extended at current levels through 2008.

S. 342 would authorize the appropriation of \$315 million in 2004. CBO estimates that this bill would authorize total funding of \$2.2 billion over the 2004–2008 period assuming that “such sums” amounts provided after 2004 are adjusted for inflation. If the authorized amounts are appropriated, outlays would increase by \$36 million in the first year and by \$1.4 billion over the five-year period.

Table 2 presents CBO’s estimates with inflation adjustments for the various components of each title under S. 342. The estimated outlays reflect historical rates of spending for the affected programs.

Title I—Child Abuse Prevention and Treatment Act

Title I of S. 342 would reauthorize and revise programs currently authorized under the Child Abuse Prevention and Treatment Act. S. 342 would authorize a total of \$200 million for 2004 for programs under title I. CBO estimates the total funding for title I for the 2004–2008 period would be about \$1 billion, assuming adjustments for inflation, with resulting outlays of \$619 million over those five years.

Child Abuse Prevention Programs. S. 342 would authorize \$120 million in 2004 for both the Child Abuse and Neglect State Grant program and the Child Abuse Discretionary Activities program and such sums as may be necessary in 2005 through 2008. The state grant program provides formula grants to states to improve child protection services. The discretionary activities program awards funds to agencies for innovative programs and projects. The two programs are funded at \$56 million in 2003.

TABLE 2.—DETAILED EFFECTS OF S. 342, THE KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2003, WITH ADJUSTMENTS FOR INFLATION

	By fiscal year, in millions of dollars—					
	2003	2004	2005	2006	2007	2008
SPENDING SUBJECT TO APPROPRIATION						
Spending under current law:						
Budget authority/authorization level ¹	263	183	183	0	0	0
Estimated outlays	241	241	198	164	55	17
Proposed changes:						
Title I—Child Abuse Prevention and Treatment						
Child Abuse Prevention State Grants and Discretionary						
Activities:						
Estimated authorization level	0	120	122	125	128	130
Estimated outlays	0	6	59	97	114	121

TABLE 2.—DETAILED EFFECTS OF S. 342, THE KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2003, WITH ADJUSTMENTS FOR INFLATION—Continued

	By fiscal year, in millions of dollars—					
	2003	2004	2005	2006	2007	2008
Community-Based Grants:						
Estimated authorization level	0	80	82	83	85	87
Estimated outlays	0	6	19	44	73	81
Subtotal, Title I:						
Estimated authorization level	0	200	204	208	213	217
Estimated outlays	0	12	77	142	186	202
Title II—Adoption Opportunities						
Adoption opportunities:						
Estimated authorization level	0	40	41	42	43	43
Estimated outlays	0	2	28	37	39	41
Title III—Abandoned Infants Assistance						
Abandoned Infants Assistance:						
Estimated authorization level	0	45	46	47	48	49
Estimated outlays	0	2	33	43	46	48
Administrative expenses for Abandoned Infants Assistance:						
Estimated authorization level	0	2	2	2	2	2
Estimated outlays	0	2	2	2	2	2
Subtotal, Title III:						
Estimated authorization level	0	47	48	49	50	51
Estimated outlays	0	4	36	46	48	50
Title IV—Family Violence Prevention and Services						
Family Violence Prevention and Services/Battered Women's Shelter: ²						
Estimated authorization level	0	0	0	175	175	175
Estimated outlays	0	0	0	21	138	168
Domestic Violence Hotline/National Domestic Violence Shelter Network:						
Estimated authorization level	0	3	3	5	5	5
Estimated outlays	0	3	3	5	5	5
Demonstration Grants for Community Initiatives: ²						
Estimated authorization level	0	0	0	6	6	6
Estimated outlays	0	0	0	1	4	5
Transitional Housing Assistance:						
Estimated authorization level	0	25	25	25	25	25
Estimated outlays	0	15	24	24	25	25
Subtotal, Title IV:						
Estimated authorization level	0	28	28	211	211	211
Estimated outlays	0	18	27	51	172	203
Total proposed changes:						
Estimated authorization level	0	315	321	510	516	523
Estimated outlays	0	36	168	275	445	497
Total spending under S. 342:						
Estimated authorization level	263	498	504	510	516	523
Estimated outlays	241	276	365	439	501	514

¹ The 2003 level is the amount appropriated for that year for programs authorized under the Child Abuse Prevention and Treatment Act, the Child Abuse Prevention, Treatment, and Adoption Reform Act of 1978, the Abandoned Infants Assistance Act of 1988, and the Family Violence Prevention and Services Act. The 2004 and 2005 amounts are current authorization levels for certain programs under the Family Violence Prevention and Services Act.

² The Family Violence Prevention and Services, Domestic Violence Hotline, and Demonstration Grants for Community Initiatives programs are currently authorized until 2005. Table 2 shows only new authorizations. See text for a description of authorizations.

Notes.—Components may not sum to totals because of rounding.

Community Based Grants. S. 342 also would authorize \$80 million in 2004 and such sums as may be necessary over the 2005–2008 period for community-based efforts to develop, and operate initiatives aimed at the prevention of child abuse and neglect. The program is funded at \$33 million in 2003.

Title II—Adoption Opportunities

Title II would reauthorize the Adoption Opportunities program, currently authorized under the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978.

The bill would authorize \$40 million in 2004 and such sums as may be necessary over the 2005–2008 period for the program. The Adoption Opportunities program provides funds to organizations for programs that eliminate barriers to adoption and help provide permanent homes for children, particularly children with special needs. These activities are funded at \$27 million in 2003.

Title III—Abandoned Infants Assistance

Title III would reauthorize the Abandoned Infants Assistance program, currently authorized under the Abandoned Infants Assistance Act of 1988.

The bill would authorize \$45 million in 2004 and such sums as may be necessary for the next four fiscal years for the program. The Abandoned Infants Assistance program provides funds to organizations for programs that prevent abandonment of infants with HIV/AIDS, assist abandoned infants, and recruit and train foster parents and health and social services professionals. The bill also would authorize about \$2 million in each fiscal year for administrative expenses. The program is funded at \$12 million in 2003.

Title IV—Family Violence Prevention and Services Act

Title IV would authorize \$28 million in 2004 and \$689 million over the 2004–2008 period for four family violence prevention programs that are currently authorized under the Family Violence Prevention and Services Act. The Family Violence Prevention and Services Act already authorizes most of these appropriations through 2005, and this bill would extend the authorizations through 2008.

Family Violence Prevention and Services. The bill would extend the authorization of the Family Violence Prevention and Services/Battered Women's Shelter program from 2005 through 2008. The program provides grants to states to provide shelter and assistance for victims, preventive services for perpetrators of domestic violence, and programs to address the needs of children who witness domestic violence. The current authorization is \$175 million annually through 2005. The program is funded at \$126 million in 2003.

National Domestic Violence Hotline and National Domestic Violence Shelter Network. The bill would create a new grant to a non-profit organization to establish and operate a secure Internet website linking the National Domestic Violence Hotline and other participating local domestic violence shelters and agencies. The bill would authorize \$5 million in 2004 and such sums as may be necessary for each of the years 2005 through 2008 for both the new grant and the existing Domestic Violence Hotline. The bill specifies that the National Domestic Violence Shelter Network would only receive funds if the appropriation exceeds \$3 million. The hotline was funded at \$2.6 million in 2003.

Demonstration Grants for Community Initiatives. The bill would extend the authorization for grants for community initiatives through 2008. The program awards grants to organizations to coordinate domestic violence intervention and prevention programs in

local communities. The program is currently authorized at \$6 million annually through 2005 and is funded at \$6 million in 2003.

Transitional Housing Assistance. S. 342 would authorize \$25 million in each of the fiscal years 2004 through 2008 for housing assistance for victims of domestic violence. The program was authorized at \$25 million for 2001, but the program has never been funded.

Intergovernmental and private-sector impact: S. 342 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would authorize the appropriation of \$315 million in grants in 2004 (\$2.2 billion over the 2004–2008 period), and a significant portion of those funds would be available to state, local, and tribal governments. Any costs those governments incur to fulfill requirements of the grants would be conditions of assistance and thus voluntary.

Previous CBO estimate: On February 24, 2003, CBO transmitted a cost estimate for H.R. 14, the Keeping Children and Families Safe Act of 2003, as ordered reported by the House Committee on Education and the Workforce on February 13, 2003. The two bills would authorize similar amounts of funding.

Estimate prepared by: Federal costs: Donna Wong; Impact on state, local, and tribal governments: Leo Lex; Impact on the private sector: Kate Bloniarz.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

VI. REGULATORY IMPACT STATEMENT

A. REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

Impact on individuals and businesses

In general, the bill provides grants to States and public and private agencies to assist in identifying, assessing, investigating, treating, and preventing child abuse and neglect. Regulations are needed to implement these grants in specified areas but do not affect individuals or businesses, unless they choose to apply for such funds.

Impact on personal privacy and paperwork

The bill provides grants to States and public and private agencies to assist in identifying, assessing, investigating, treating, and preventing child abuse and neglect. The bill should not increase the amount of personal information and paperwork required.

B. UNFUNDED MANDATES STATEMENT

Estimated impact on state, local, and tribal governments

According to the Congressional Budget Office, the bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill places several new requirements and limitations on State programs as conditions of receiving assistance. For example, the bill requires States to have policies and proce-

dures to have triage for the referral of a child not at imminent risk of harm to a community or voluntary child maltreatment prevention service; to improve the training, retention, and supervision of caseworkers; to have procedures (including appropriate referrals to CPS systems and for other appropriate services) to address the needs of infants born and identified with illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure; to require disclosures of confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect; to require that a representative of the CPS agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the informant; and, to require background checks on all adults in prospective foster care households.

The committee has determined that there may be increased demands upon States due to the new conditions for assistance under section 106. However, the committee believes it is appropriate to require such new conditions given the State of the Nation's CPS system and its mission to protect children from abuse and neglect.

VII. LEGISLATIVE IMPACT

The committee has determined that there is no legislative impact.

VIII. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the "Keeping Children and Families Safe Act of 2003".

Section 2. Table of contents

TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

Section 101. Findings

Section 2 updates the findings under the act with the most recent data available.

Subtitle A—General Program

Section 111. National Clearinghouse for information relating to child abuse

Section 111 modifies Section 103(b) to ensure that the Clearinghouse maintains all effective programs, including private and community-based programs that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect and hold the potential for broad scale implementation and replication. The Clearinghouse also would be required to maintain information about the best practices used for achieving improvements in child protective systems; and, provide technical assistance upon request that may include an evaluation or identification of: (A) various methods and procedures for the investigation, assessment, and prosecution of child physical and sexual

abuse cases; (B) ways to mitigate psychological trauma to the child victim; and (C) effective programs carried out by the States under this Act; and provide for and disseminate information relating to various training resources available at the State and local level to: individuals who are engaged, or who intend to engage, in the prevention, identification, and treatment of child abuse and neglect; and appropriate State and local officials to assist in training law enforcement, legal, judicial, medical, mental health, education, and child welfare personnel.

Section 103(c)(1) is amended to require HHS to collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing, the physical, developmental, and mental health needs of abused and neglected children.

Section 112. Research and assistance activities and demonstrations

Section 112 amends Section 104(a) to include longitudinal research, as well as research on the effects of abuse and neglect on a child's development and the identification of successful early intervention services or other services that are needed. In addition, this Section requires the Secretary to undertake a National Incidence Study (NIS) and requires the study to include the incidence and prevalence of child maltreatment by a wide array of demographic characteristics such as age, sex, race, household relationship (including the living arrangement of resident parent and family size), family structure, school enrollment and educational attainment, disability, grandparents as care givers, labor force status, work status in the previous year, and income in the previous year; the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protection services systems to promote effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment; an evaluation of the redundancies and gaps in services to make better use of resources; and the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low income children who need health services, including mental health services.

This Section requires the Secretary to provide an opportunity for public comment concerning research priorities every 2 years. This Section also requires the Secretary to prepare and submit the National Incidence Study to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, no later than 4 years after the date of enactment.

Section 104(b) is amended to include private agencies and community-based organizations as organizations who should receive technical assistance for effective approaches being utilized to link child protective service agencies with health care, mental health care and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.

Section 104 is further amended by moving "Demonstrations Programs and Projects" from Section 105 to Section 104 to allow the Secretary to award grants to, and enter into contracts with, States or public or private agencies or organizations (or combinations of

such agencies or organizations) for time-limited, demonstration projects for the following:

(8) Promotion of Safe, Family-Friendly Physical Environments for Visitation and Exchange to assist in establishing and operating safe, family-friendly physical environments for court-ordered, supervised visitation between children and abusing parents; and to safely facilitate the exchange of children for visits with noncustodial parents in cases of domestic violence;

(9) Education Identification, Prevention, and Treatment for projects that provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools;

(10) Risk and Safety Assessment Tools for projects that provide for the development of risk and safety assessment tools relating to child abuse and neglect;

(11) Training for projects that involve innovative training for mandated child abuse and neglect reporters; and

(12) Comprehensive Adolescent Victim/Victimizer Prevention Programs to organizations that demonstrate innovation in preventing child sexual abuse through school-based programs in partnership with parents and community-based organizations to establish a network of trainers who will work with schools to implement the program.

Section 113. Grants to states and public or private agencies and organizations

This Section amends Section 105(a) to provide grants for a variety of training programs designed to improve training to child protection services (CPS) and other child and family service workers, (including supervisors). Suggested projects include training workers on how to best work with families from initial investigation through treatment; cross-training to better recognize neglect, domestic violence or substance abuse in a family; training to strengthen linkages between CPS and health agencies including physical and mental health services and to promote partnerships that offer creative approaches to meet the needs of abused children; as well as training for CPS workers on their legal duties. Other suggested projects include developing programs designed to improve services to disabled infants.

Additionally, this section is amended to promote better coordination between agencies to improve services to children. Specifically through improving links between child protection services and education, health, mental health, and judicial systems to ensure that children who are abused and neglected are properly identified and receive referrals to appropriate services. In addition, it promotes partnerships between public agencies and community-based organizations to provide child abuse and neglect prevention and treatment programs.

Section 105(b) is amended to include programs based within children's hospitals or other pediatric care facilities that provide model approaches for improving medical diagnosis of child abuse and neglect and for medical diagnosis of children for whom a report of maltreatment has been substantiated to the list of discretionary grant options of the Secretary.

Section 114. Grants to states for child abuse and neglect prevention and treatment programs

This Section amends Section 106(a) to promote developing and updating systems of technology that support the program and track reports of child abuse and neglect from intake through final disposition and allow interstate and intrastate information exchange; This section encourages greater collaboration between child protection services and the juvenile justice system to ensure that children who move between these two systems do so smoothly and receive appropriate services. This section also promotes improving the CPS workforce, including improvements in the recruitment and retention of caseworkers and promotes developing, implementing, or operating programs to assist in obtaining or coordinating necessary services for families of disabled infants with life-threatening conditions, including existing social and health services; financial assistance; and services necessary to facilitate adoptive placement of any such infants who have been relinquished for adoption. This Section also promotes the development for training protocols for mandated reporters and the improvement of public education relating to the role and responsibilities of child protective services and the nature and basis for reporting child abuse and neglect. Finally, this Section encourages personal safety training for CPS workers, as well as training regarding their legal duties.

As a condition of receiving state grant money, States would be required to have triage procedures for the referral of a child not at imminent risk of harm to a community or voluntary child maltreatment prevention service and to have procedures to improve the training, retention, and supervision of caseworkers. States would be required to have policies and procedures (including appropriate referrals to child protection services systems and for other appropriate services) to address the needs of infants born and identified with illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure. States would also be required to have provisions to require disclosures of confidential information to any Federal, State, or local government entity, or any agent of such entity that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect.

This Section modifies the appointment of court appointed special advocates (CASAs) and guardian ad litem to ensure that they have training appropriate to the role. States would be required to have procedures to require that a representative of the child protection services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the informant. States are also required to perform background checks on all adults in prospective foster care households within two years of the enactment of this reauthorization.

This Section modifies Section 106(c) to require Citizen Review Panels to provide for public outreach and comment in order to assess the impact of current procedures and practices upon children and families in the community and in order to meet its obligations. The appropriate State agency is to submit a written response to the Citizen Review Panel, within six months, that describes whether or

how the State will incorporate the recommendations of the Citizen Review Panel (where appropriate) to make measurable progress in improving the State and local child protective system.

This Section also requires States to collect and report summary data of Citizen Review Panel activity, as well as the number of children transferred from the child protective systems into the juvenile justice systems as part of their Annual State Data Reports.

Section 115. Miscellaneous requirements relating to assistance

This Section amends Section 108 by requiring, no later than February 1, 2003, the Comptroller General of the United States to conduct a survey of a wide range of State and local child protection service systems to evaluate and submit to Congress a report concerning the current training (including cross-training in domestic violence or substance abuse) of child protective service workers in the outcomes for children and to analyze and evaluate the effects of caseloads, compensation, and supervision on staff retention and performance; the efficiencies and effectiveness of agencies that provide cross-training with court personnel; and recommendations to strengthen child protective service effectiveness to improve outcomes for children.

This Section notes that it is the sense of Congress that the Secretary should encourage all States and public and private agencies or organizations that receive assistance under this title to ensure that children and families with limited English proficiency who participate in programs under this title are provided materials and services under such programs in an appropriate language other than English.

Section 116. Authorization of appropriations

This Section amends Section 112(a)(1) to authorize \$120,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008.

Section 117. Reports

This Section amends 106(f) by requiring the Secretary to conduct a study by random sample of the effectiveness of the citizen review panels established under section 106(c). Within 3 years the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that contains the results of the study conducted under paragraph (1).

Subtitle B—Community-Based Grants for the Prevention of Child Abuse

Section 121. Purpose and authority

This Section amends the Section 201(a)(1) definition of the purpose of this title to support community-based efforts to develop, operate, expand, enhance, and, where appropriate to network, initiatives aimed at the prevention of child abuse and neglect, and to support networks of coordinated resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect.

Section 122. Eligibility

This Section amends Section 202 to conform to community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate).

Section 123.

Section 203 is amended to make technical corrections.

Section 124. Existing grants

Section 204 is repealed.

Section 125. Application

Section 205 conforms the definition to community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate) and requires a description of the inventory of current unmet needs and current family resource services operating in the State.

Section 126. Local program requirements

Section 126 amends Section 206(a) to include “voluntary home visiting” among other core services which must be provided or arranged for through contracts or agreements with other local agencies.

Section 127. Performance measures

Section 207 is amended to make technical and conforming changes and to require the State to demonstrate that they will have addressed unmet needs identified by the inventory and description of current services required under section 205(3).

Section 128. National Network for Community-Based Family Resource Programs

Section 208(3) is amended to make conforming changes.

Section 129. Definitions

This Section makes the following definition revisions:

(1) Children With Disabilities.—Section 209(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h(1)) is amended by striking “given such term in Section 602(a)(2)” and inserting “given the term “child with a disability” in Section 602(3) or “infant or toddler with a disability” in section 632(5);”

(2) Community-Based and Prevention-Focused Programs and Activities to Prevent Child Abuse and Neglect.—Section 209 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h) is amended by striking paragraphs (3) and (4) and inserting the following:

(3) Community-Based and Prevention-Focused Programs and Activities to Prevent Child Abuse and Neglect.—The term “community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect” includes organizations such as family resource programs, family support programs, voluntary home visiting programs, respite care programs, parenting education,

mutual support programs, and other community programs or networks of such programs that provide activities that are designed to prevent or respond to child abuse and neglect.

Section 130. Authorization of appropriations

Section 210 is amended to authorize \$80,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 to 2008.

TITLE II—ADOPTION OPPORTUNITIES ACT

Section 201. Congressional findings and declaration of purpose

This Section amends Section 201 by revising and updating the current foster care and adoption statistics and calls attention to the need to eliminate continued geographic barriers to adoption.

Section 202. Information and services

Section 203 is amended to promote the implementation of programs that are intended to increase the number of older children (who are less likely to be adopted) placed in adoptive families; services for families adopting special needs children and improving the placement rate of children in foster care.

This Section also adds the Elimination of Barriers to Adoptions Across Jurisdictional Boundaries to allow the Secretary to award grants to, or enter into contracts with, States, local government entities, public or private child welfare or adoption agencies, adoption exchanges, or adoption family groups to carry out initiatives to improve efforts to eliminate barriers to placing children for adoption across jurisdictional boundaries. In addition, this Section is amended to allow services provided under these grants to supplement, not supplant, services provided using any other funds made available for the same general purposes including

- (A) Developing a uniform home study standard and protocol for acceptance of home studies between States and jurisdictions;
- (B) Developing models of financing cross-jurisdictional placements;
- (C) Expanding the capacity of all adoption exchanges to serve increasing numbers of children;
- (D) Developing training materials and training social workers on preparing and moving children across State lines; and
- (E) developing and supporting initiative models for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.

Section 203. Study of adoption placements

Section 204 is amended to include research on how interstate placements are being financed across State lines; recommendations on best practice models for both interstate and intrastate adoptions; and how State policies in defining special needs children differentiate or group similar categories of children.

Section 204 is also amended to require research (directly or by grant to, or contract with, public or private nonprofit research agencies or organizations) about adoption outcomes and the factors affecting those outcomes. The Secretary is required to submit a re-

port containing the results of such research to the appropriate committees of the Congress within 3 years.

Section 204. Studies on successful adoptions

This Section requires the Secretary of HHS in consultation with the General Accounting Office to submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children no later than 1 year after the date of enactment of this Act.

Congress bases this request on the following findings:

(13) The Adoption and Safe Families Act of 1997 mandated that “the State shall not delay or deny the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child”;

(2)(A) The policy and legal focus on expanding the pool of adoptive families for waiting children in foster care, as expressed by the Adoption and Safe Families Act of 1997, has brought attention to the need to improve interjurisdictional practice whether across State or county lines; and (B) case workers, agency administrators, and State policy makers in many cases have resisted the use of interjurisdictional placements for children in their caseloads, citing practice, policy, legal, bureaucratic, and fiscal concerns;

(3) The National Conference of State Legislators has noted that among the many challenges (interstate adoptions of special needs children has been complicated by a lack of familiarity with the Interstate Compact on the Placement of Children on the part of caseworkers and judges, the absence of a standard protocol for pre-placement home studies, delays in the Interstate Compact on the Placement of Children process, and similar issues; and in its November 1999 report to Congress, the General Accounting Office found that public child welfare agencies have done little to improve the interjurisdictional adoption process.

Section 205. Authorization of appropriations

Section 205(a) is amended to authorize \$40,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008.

TITLE III—ABANDONED INFANTS ASSISTANCE ACT

Section 301. Findings

This Section amends Section 2 by inserting “appropriate training is needed for personnel working with infants and young children with life-threatening conditions and other special needs, including those who are infected with the human immunodeficiency virus (commonly known as ‘HIV’), those who have acquired immune deficiency syndrome (commonly known as ‘AIDS’), and those who have been exposed to dangerous drugs” as well as adding “Private, Federal, State, and local resources should be coordinated to establish

and maintain such services and to ensure the optimal use of all such resources.”

Section 302. Establishment of local projects

This Section prevents the Secretary from making a grant under this Section unless the applicant for the grant agrees to give priority to abandoned infants and young children who are infected with, or have been perinatally exposed to, the human immunodeficiency virus, have a life-threatening illness or other special medical need, or have been perinatally exposed to a dangerous drug.

Section 303. Evaluations, study, and reports by Secretary

Section 102 is amended to require the Secretary to, directly or through contracts, with public and nonprofit private entities, provide for evaluations of projects carried out under Section 101 and for the dissemination of information developed as a result of such projects. This Section also requires the Secretary to conduct a study on the details of abandoned infants and young children, and evaluate and report on effective methods of intervening to prevent such abandonment, and effective methods for responding to the needs of abandoned infants and young children.

Section 304. Authorization of appropriations

Section 104 authorizes \$45,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008. Not more than 5 percent of these amounts for any fiscal year may be obligated for carrying out the evaluation of local programs.

Section 305. Definitions

Section 103 is amended to include the following definitions for this subtitle:

(1) The terms “abandoned” and “abandonment”, with respect to infants and young children, mean that the infants and young children are medically cleared for discharge from acute-care hospital settings, but remain hospitalized because of a lack of appropriate out-of-hospital placement alternatives.

(2) The term “acquired immune deficiency syndrome” includes infection with the etiologic agent for such syndrome, any condition indicating that an individual is infected with such etiologic agent, and any condition arising from such etiologic agent.

(3) The term “dangerous drug” means a controlled substance, as defined in Section 102 of the Controlled Substances Act.

(4) The term “natural family” shall be broadly interpreted to include natural parents, grandparents, family members, guardians, children residing in the household, and individuals residing in the household on a continuing basis who are in a caregiving situation with respect to infants and young children covered under this subtitle.

(5) The term “Secretary” means the Secretary of Health and Human Services.

TITLE IV—AMENDMENTS TO FAMILY VIOLENCE
PREVENTION AND SERVICES ACT

Subtitle A—Reauthorization of Grant Programs

Section 401. State demonstration grants

This Section amends Section 303(a)(2)(C) to reference the definition of “under served populations” and requires State grantees to submit a report to the Secretary that contains a description of activities carried out.

This Section requires the Secretary to provide competitive grants for shelters and other domestic violence service providers to run programs to address the physical, emotional and logistical needs of children who witness domestic violence; to provide grants to local agencies for the training of child welfare, and where appropriate, court and law enforcement personnel to assist them in addressing cases where child abuse and domestic violence intersect; and finally, to provide funds to nonprofit agencies to bring various service providers together to design and implement multi-system intervention programs for children exposed to domestic violence.

Section 402. Secretarial responsibilities

The amendment of Section 305(a) will enable more than one employee to carry out the required functions of the Act.

Section 403. Evaluation

This Section amends Section 306 to indicate that the Secretary shall review, evaluate, and report to the appropriate committees of Congress every two years on the effectiveness of the programs administered, as opposed to no later than two years after funds have been obligated.

Section 404. Information and technical assistance centers

Section 308 is amended by removing the publication within 90 days requirement.

Section 405. General authorization of appropriations

The Section extends the authorization of \$175,000,000 through 2008.

This Section also requires that for a fiscal year in which the total amounts appropriated for the Family Violence Prevention Act exceed \$150,000,000, the Secretary shall reserve and make available 50 percent of the excess to carry out projects to address the needs of Children Who Witness Domestic Violence.

Section 406. Grants for state domestic violence coalitions

Section 311 is amended by repeal subsection (h), establishing time frames for regulations.

Section 407. Evaluation and monitoring

Section 312 is amended to require the Secretary to use not more than 2.5 percent of the amount appropriated under Section 310(a) for each fiscal year for evaluation, monitoring, and other administrative costs under this title.

Section 408. Family Member Abuse Information and Documentation Project

This Section repeals Section 313.

Section 409. Model State Leadership Grants

This Section repeals Section 315.

Section 410. National Domestic Violence Hotline Grant

Section 316(b) is amended to permit an extension of this grant if the Grantee submits a report evaluating the effectiveness of the program.

Section 411. Youth education and domestic violence

Section 317 is repealed.

Section 412. National Domestic Violence Shelter Network

This Section establishes a highly secure electronic network to link domestic violence shelters and service providers and the National Domestic Violence Hotline on a confidential website. The website would provide a continuously updated list of shelter availability anywhere in the United States at any time and would provide comprehensive information describing the services each shelter provides such as medical, social and bilingual services. It would also provide internet access to shelters that do not have appropriate technology.

This Section authorizes \$5,000,000 to carry out this Section and Section 316 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

Section 413. Demonstration grants for community initiatives

Section 318(h) is amended to authorize \$6,000,000 for each of fiscal years 2004 to 2008.

Section 318(I) is repealed.

Section 414. Transitional housing reauthorization

Section 319(f) is amended to authorize \$25,000,000 for each of fiscal years 2004 to 2008.

Section 415. Technical and conforming amendments

This Section makes general punctuation and minor language changes.

IX. CHANGES IN EXISTING LAW

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter in printed in italic, existing law in which no change is proposed is shown in roman):

CHILD ABUSE PREVENTION AND TREATMENT ACT

* * * * *

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[Sec. 105. Grants to public agencies and nonprofit private organizations for demonstration programs and projects.]
“Sec. 105. Grants to States and public or private agencies and organizations.

* * * * *

[TITLE II—COMMUNITY-BASED FAMILY RESOURCE AND SUPPORT GRANTS]

TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT

- Sec. 201. Purpose and authority.
 Sec. 202. Eligibility.
 Sec. 203. Amount of grant.
[Sec. 204. Existing grants.]

* * * * *

HISTORICAL AND STATUTORY NOTES

CONGRESSIONAL FINDINGS.—

(1) each year, **[close to 1,000,000]** *approximately 900,000* American children are victims of abuse and neglect;

(2)(A) *more children suffer neglect than any other form of maltreatment; and*

(B) *investigations have determined that approximately 63 percent of children who were victims of maltreatment in 2000 suffered neglect, 19 percent suffered physical abuse, 10 percent suffered sexual abuse, and 8 percent suffered emotional maltreatment;*

(3)(A) *child abuse can result in the death of a child;*

(B) *in 2000, an estimated 1,200 children were counted by child protection services to have died as a result of abuse or neglect; and*

(C) *children younger than 1 year old comprised 44 percent of child abuse fatalities and 85 percent of child abuse fatalities were younger than 6 years of age;*

[(2) many of these children and their families fail to receive adequate protection or treatment;]

(4)(A) *many of these children and their families fail to receive adequate protection and treatment;*

(B) *slightly less than half of these children (45 percent in 2000) and their families fail to receive adequate protection or treatment; and*

(C) *in fact, approximately 80 percent of all children removed from their homes and placed in foster care in 2000, as a result of an investigation or assessment conducted by the child protective services agency, received no services;*

“[(3)] (5) *the problem of child abuse and neglect requires a comprehensive approach that—*

“(A) integrates the work of social service, legal, health, mental health, education, and substance abuse agencies and **[organizations]** *community-based organizations*;

* * * * *

“(D) **[ensures properly trained and support staff with specialized knowledge]** *recognizes the need for properly trained staff with the qualifications needed to carry out their child protection duties*; and

“(E) is sensitive to ethnic and cultural diversity, *which may impact child rearing patterns, while at the same time not allowing those differences to enable abuse*;

“**[(4)]** (6) the failure to coordinate and comprehensively prevent and treat child abuse and neglect threatens the futures of thousands of children and results in a cost to the Nation of billions of dollars in tangible expenditures, as well as significant intangible costs;

“**[(5)]** (7) all elements of American society have a shared responsibility in responding to **[this national child and family emergency]** *child abuse and neglect*;

“**[(6)]** (8) substantial reductions in the prevalence and incidence of child abuse and neglect and the alleviation of its consequences are matters of the highest national priority;

“**[(7)]** (9) national policy should strengthen families to prevent child abuse and neglect, provide support for **[intensive]** *needed services* to prevent the unnecessary removal of children from families, and promote the reunification of families **[if removal has taken place]** *where appropriate*;

“**[(8)]** (10) the child protection system should be comprehensive, child-centered, family-focused, and community-based, should incorporate all appropriate measures to prevent the occurrence or recurrence of child abuse and neglect, and should promote physical and psychological recovery and social re-integration in an environment that fosters the health, safety, self-respect, and dignity of the child;

* * * * *

“**[(9)]** (11) because of the limited resources available in low-income communities, Federal aid for the child protection system should be distributed with due regard to the relative financial need of the communities;

“**[(10)]** (12) the Federal government should assist States and communities with the fiscal, human, and technical resources necessary to develop and implement a successful and comprehensive child and family protection strategy;

“**[(11)]** (13) the Federal government should provide leadership and assist communities in their child and family protection efforts by—

* * * * *

TITLE I—GENERAL PROGRAM

SEC. 101. OFFICE ON CHILD ABUSE AND NEGLECT.

* * * * *

SEC. 103. NATIONAL CLEARINGHOUSE FOR INFORMATION RELATING TO CHILD ABUSE.

(a) ESTABLISHMENT.—* * *

(b) * * *

(1) maintain, coordinate, and disseminate information on [all programs, including private programs, that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect; and] *all effective programs, including private and community-based programs, that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect and hold the potential for broad scale implementation and replication;*

(2) *main information about the best practices used for achieving improvements in child protective systems;*

[(2)] (3) maintain and disseminate information relating to—

(A) the incidence of cases of child abuse and neglect in the United States;

(B) the incidence of such cases in populations determined by the Secretary under section 105(a)(1) of the Child Abuse Prevention, Adoption, and Family Services Act of 1988; and

(C) the incidence of any such cases related to alcohol or drug abuse[.];

(4) *provide technical assistance upon request that may include an evaluation or identification of—*

(A) *various methods and procedures for the investigation, assessment, and prosecution of child physical and sexual abuse cases;*

(B) *ways to mitigate psychological trauma to the child victim; and*

(C) *effective programs carried out by the States under this Act; and*

(5) *collect and disseminate information relating to various training resources available at the State and local level to—*

(A) *individuals who are engaged, or who intend to engage, in the prevention, identification, and treatment of child abuse and neglect; and*

(B) *appropriate State and local officials to assist in training law enforcement, legal, judicial, medical, mental health, education, and child welfare personnel.*

(c) COORDINATION WITH AVAILABLE RESOURCES.—

(1) IN GENERAL.—* * *

(A) * * *

(E) compile, analyze, and publish a summary of the research conducted under section [105(a); and] 104(a);

(F) *collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing, the physical, developmental, and mental health needs of abused and neglected children; and*

[(F)] (G) solicit public comment on the components of such clearinghouse.

SEC. 104. RESEARCH AND ASSISTANCE ACTIVITIES.

(a) RESEARCH.—

(1) TOPICS.—The Secretary shall, in consultation with other Federal agencies and recognized experts in the field, carry out a continuing interdisciplinary program of research, *including longitudinal research* that is designed to provide information needed to better protect children from abuse or neglect and to improve the well-being of abused or neglected children, with at least a portion of such research being field initiated. Such research program may focus on—

* * * * *

(B) causes, prevention, assessment, identification, treatment, cultural and socio-economic distinctions, and the consequences of child abuse and neglect, *including the effects of abuse and neglect on a child's development and the identification of successful early intervention services or other services that are needed*;

(C) appropriate, effective and culturally sensitive investigative, administrative, and [judicial procedures] *judicial systems, including multidisciplinary, coordinated decision-making procedures* with respect to cases of child abuse; [and]

(D) *the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protective services systems of the States in accordance with paragraphs (1) through (12) of section 106(a);*

(E) *effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems;*

(F) *an evaluation of the redundancies and gaps in the services in the field of child abuse and neglect prevention in order to make better use of resources;*

(G) *the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low income children who need health services, including mental health services;*

(H) *the information on the national incidence of child abuse and neglect specified in clauses (i) through (xi) of subparagraph (H); and*

* * * * *

[D] (I) the national incidence of child abuse and neglect, including—

(i) * * *

* * * * *

(viii) the incidence and prevalence of physical, sexual, and emotional abuse and physical and emotional neglect in substitute care; [and]

(ix) *the incidence and prevalence of child maltreatment by a wide array of demographic characteristics such as age, sex, race, family structure, household relationship (including the living arrangement of the resident parent and family size), school enrollment and education attainment, disability, grandparents as care-*

givers, labor force status, work status in previous year, and income in previous year; and

【ix】 (x) the incidence and outcomes of abuse allegations reported within the context of divorce, custody, or other family court proceedings, and the interaction between this venue and the child protective services system.

(2) *RESEARCH.*—*The Secretary shall conduct research on the national incidence of child abuse and neglect, including the information on the national incidence on child abuse and neglect specified in subparagraphs (i) through (ix) of paragraph (1)(I).*

(3) *REPORT.*—*Not later than 4 years after the date of the enactment of the Keeping Children and Families Safe Act of 2003, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the research conducted under paragraph (2).*

【(2)】 (4) *PRIORITIES.*—(A) The Secretary shall establish research priorities for making grants or contracts for purposes of carrying out paragraph (1).

【(B) In establishing research priorities as required by subparagraph (A), the Secretary shall—

【(i) publish proposed priorities in the Federal Register for public comment; and

【(ii) allow not less than 60 days for public comment on such proposed priorities.】

(B) *Not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, and every 2 years thereafter, the Secretary shall provide an opportunity for public comment concerning the priorities proposed under subparagraph (A) and maintain an official record of such public comment.*

(b) *PROVISION OF TECHNICAL ASSISTANCE.*—

(1) *IN GENERAL.*—The Secretary shall provide technical assistance to State and local public and 【nonprofit private agencies and】 *private agencies and community-based organizations, including disability organizations and persons who work with children with disabilities, to assist such agencies and organizations in planning, improving, developing, and carrying out programs and activities including replicating successful program models, relating to the prevention, assessment, identification, and treatment of child abuse and neglect.*

(2) *EVALUATION.*—Such technical assistance may include an evaluation or identification of—

(A) various methods and procedures for the investigation, assessment, and prosecution of child physical and sexual abuse cases;

(B) ways to mitigate psychological trauma to the child victim; 【and】

(C) effective programs carried out by the States under titles I and II【.】; and

(D) *effective approaches being utilized to link child protective service agencies with health care, mental health care, and developmental services to improve forensic diag-*

nosis and health evaluations, and barriers and shortages to such linkages.

* * * * *

(e) *DEMONSTRATION PROGRAMS AND PROJECTS.—The Secretary may award grants to, and enter into contracts with, States or public or private agencies or organizations (or combinations of such agencies or organizations) for time-limited, demonstration projects for the following:*

(1) *PROMOTION OF SAFE, FAMILY-FRIENDLY PHYSICAL ENVIRONMENTS FOR VISITATION AND EXCHANGE.—The Secretary may award grants under this subsection to entities to assist such entities in establishing and operating safe, family-friendly physical environments—*

(A) for court-ordered, supervised visitation between children and abusing parents; and

(B) to safely facilitate the exchange of children for visits with nonenstodial parents in cases of domestics violence.

(2) *EDUCATION IDENTIFICATION, PREVENTION, AND TREATMENT.—The Secretary may award grants under this subsection to entities for projects that provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools.*

(3) *RISK AND SAFETY ASSESSMENT TOOLS.—The Secretary may award grants under this subsection to entities for projects that provide for the development of effective and research-based risk and safety assessment tools relating to child abuse and neglect.*

(4) *TRAINING.—The Secretary may award grants under this subsection to entities for projects that involve effective and research-based innovative training for mandated child abuse and neglect reporters.*

(5) *COMPREHENSIVE ADOLESCENT VICTIM/VICTIMIZER PREVENTION PROGRAMS.—The Secretary may award grants to organizations that demonstrate innovation in preventing child sexual abuse through school-based programs in partnership with parents and community-based organizations to establish a network of trainers who will work with schools to implement the program. The program shall be comprehensive, meet State guidelines for health education, and should reduce child sexual abuse by focusing on prevention for both adolescent victims and victimizers.*

[SEC. 105. GRANTS TO PUBLIC AGENCIES AND NONPROFIT PRIVATE ORGANIZATIONS FOR DEMONSTRATION PROGRAMS AND PROJECTS.]

SEC. 105. GRANTS TO STATES AND PUBLIC OR PRIVATE AGENCIES AND ORGANIZATIONS.

(a) **[DEMONSTRATION] GRANTS FOR PROGRAMS AND PROJECTS.—**The Secretary may make grants to, and enter into contracts with, States public agencies or private **[nonprofit]** agencies or organizations (or combinations of such agencies or organizations) for **[time limited, demonstration]** programs and projects for the following purposes:

(1) TRAINING PROGRAMS.—The Secretary may award grants to public or private [nonprofit] organizations under his section—

(A) for the training of professional and paraprofessional personnel in the fields of medicine, [law, education, social work, and other relevant fields] *law enforcement, judiciary, social work and child protection, education, and other relevant fields, or individuals such as court appointed special advocates (CASAs) and guardian ad litem*, who are engaged in or attend to work in, the field of prevention, identification, and treatment of child abuse and neglect, including the links between domestic violence and child abuse;

(B) to improve the recruitment, selection, and training of volunteers serving in public and private [nonprofit children, youth and family service organizations in order to prevent child abuse and neglect through collaborative analysis of current recruitment, selection, and training programs and development of model programs for dissemination and replication nationally; and] *children, youth and family service organizations in order to prevent child abuse and neglect*;

(C) for the establishment of resource centers for the purpose of providing information and training to professionals working in the field of child abuse and neglect[.];

(D) *for training to support the enhancement of linkages between child protective service agencies and health care agencies, including physical and mental health services, to improve forensic diagnosis and health evaluations and for innovative partnerships between child protective service agencies and health care agencies that offer creative approaches to using existing Federal, State, local, and private funding to meet the health evaluation needs of children who have been subjects of substantiated cases of child abuse or neglect*;

(E) *for the training of personnel in best practices to promote collaboration with the families from the initial time of contact during the investigation through treatment*;

(F) *for the training of personnel regarding the legal duties of such personnel and their responsibilities to protect the legal rights of children and families*;

(G) *for improving the training of supervisory and non-supervisory child welfare workers*;

(H) *for enabling State child welfare agencies to coordinate the provision of services with State and local health care agencies, alcohol and drug abuse prevention and treatment agencies, mental health agencies, and other public and private welfare agencies to promote child safety, permanence, and family stability*;

(I) *for cross training for child protective service workers in effective and research-based methods for recognizing situations of substance abuse, domestic violence, and neglect; and*

(J) *for developing, implementing, or operating information and education programs or training programs de-*

signed to improve the provision of services to disabled infants with life-threatening conditions for—

(i) professionals and paraprofessional personnel concerned with the welfare of disabled infants with life-threatening conditions, including personnel employed in child protective services programs and health care facilities; and

(ii) the parents of such infants.

(2) **TRIAGE PROCEDURES.**—*The Secretary may award grants under this subsection to public and private agencies that demonstrate innovation in responding to reports of child abuse and neglect, including programs of collaborative partnerships between the State child protective services agency, community social service agencies and family support programs, law enforcement agencies, developmental disability agencies, substance abuse treatment entities, health care entities, domestic violence prevention entities, mental health service entities, schools, churches and synagogues, and other community agencies, to allow for the establishment of a triage system that—*

(A) accepts, screens, and assesses reports received to determine which such reports require an intensive intervention and which require voluntary referral to another agency, program, or project;

(B) provides, either directly or through referral, a variety of community-linked services to assist families in preventing child abuse and neglect; and

(C) provides further investigation and intensive intervention where the child's safety is in jeopardy.

[(2)] (3) **MUTUAL SUPPORT PROGRAMS.**—The Secretary may award grants to private [nonprofit organizations (such as Parents Anonymous)] *organizations* to establish or maintain a national network of mutual support and self-help programs as a means of strengthening families in partnership with their communities.

[(3)] **OTHER INNOVATIVE PROGRAMS AND PROJECTS.**—

[(A)] **IN GENERAL.**—The Secretary may award grants to public and private nonprofit agencies that demonstrate innovation in responding to reports of child abuse and neglect including programs of collaborative partnerships between the State child protective services agency, community social service agencies and family support programs, schools, churches and synagogues, and other community agencies to allow for the establishment of a triage system that—

[(i)] accepts, screens and assesses reports received to determine which such reports require an intensive intervention and which require voluntary referral to another agency, program or project;

[(ii)] provides, either directly or through referral, a variety of community-linked services to assist families in preventing child abuse and neglect; and

[(iii)] provides further investigation and intensive intervention where the child's safety is in jeopardy.]

[(B)] (4) **KINSHIP CARE.**—The Secretary may award grants to public and private [nonprofit] entities in not

more than 10 States to assist such entities in developing or implementing procedures using adult relatives as the preferred placement for children removed from their home, where such relatives are determined to be capable of providing a safe nurturing environment for the child and where such relatives comply with the State child protection standards.

[(C) PROMOTION OF SAFE, FAMILY-FRIENDLY, PHYSICAL ENVIRONMENTS FOR VISITATION AND EXCHANGE.—The Secretary may award grants to entities to assist such entities in establishing, and operating safe, family-friendly physical environments—

[(i) for court-ordered supervised visitation between children and abusing parents; and

[(ii) to safely facilitate the exchange of children for visits with noncustodian parents in cases of domestic violence.]

(5) *LINKAGES BETWEEN CHILD PROTECTIVE SERVICE AGENCIES AND PUBLIC HEALTH, MENTAL HEALTH, AND DEVELOPMENTAL DISABILITIES AGENCIES.—The Secretary may award grants to entities that provide linkages between State or local child protective service agencies and public health, mental health, and developmental disabilities agencies, for the purpose of establishing linkages that are designed to help assure that a greater number of substantiated victims of child maltreatment have their physical health, mental health, and developmental needs appropriately diagnosed and treated, in accordance with all applicable Federal and State privacy laws.*

(b) DISCRETIONARY GRANTS.—In addition to grants or contracts made under [subsection (b)] *subparagraph (a)* grants or contracts under this section may be used for the following:

[(1) Projects which provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools.]

[(2)] (1) Respite and crisis nursery programs provided by community-based organizations under the direction and supervision of hospitals.

[(3)] (2) Respite and crisis nursery programs provided by community-based organizations.

(3) *Programs based within children's hospitals or other pediatric and adolescent care facilities, that provide model approaches for improving medical diagnosis of child abuse and neglect and for health evaluations of children for whom a report of mal-treatment has been substantiated.*

(4)(A) * * *

* * * * *

(D) For purposes of this paragraph, a qualified grantee is a [nonprofit] acute care hospital that—

* * * * *

(c) EVALUATION.—In making grants for [demonstration] projects under this section, the Secretary shall require all such projects to be evaluated for their effectiveness. Funding for such evaluations shall be provided either as a stated percentage of a demonstration grant or as a separate grant or contract entered into by the Sec-

retary for the purpose of evaluating a particular demonstration project or group of projects. *In the case of an evaluation performed by the recipient of a grant, the Secretary shall make available technical assistance for the evaluation, where needed, including the use of a rigorous application of scientific evaluation techniques.*

SEC. 106. GRANTS TO STATES FOR CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAMS.

(a) DEVELOPMENT AND OPERATION GRANTS.—* * *

* * * * *

(3) case management, *including ongoing case monitoring, and delivery of services and treatment provided to children and their families;*

(4) enhancing the general child protective system by **[improving risk and safety assessment tools and protocols, automation systems that support the program and track reports of child abuse and neglect from intake through final disposition and information referral systems]** *developing, improving, and implementing risk and safety assessment tools and protocols;*

(5) *developing and updating systems of technology that support the program and track reports of child abuse and neglect from intake through final disposition and allow interstate and intrastate information exchange;*

[(5)] (6) developing, strengthening, and facilitating training **[opportunities and requirements for individuals overseeing and providing services to children and their families through the child protection system]; including—**

(A) *training regarding effective and research-based practices to promote collaboration with the families;*

(B) *training regarding the legal duties of such individuals; and*

(C) *personal safety training for case workers;*

[(7)] developing, strengthening, and supporting child abuse and neglect prevention, treatment, and research programs in the public and private sectors;**]**

(7) *improving the skills, qualifications, and availability of individuals providing services to children and families, and the supervisors of such individuals, through the child protection system, including improvements in the recruitment and retention of caseworkers;*

[(6)] (8) *developing and facilitating training protocols for individuals mandated to report child abuse or neglect;*

[(8)] (9) *developing, implementing, or operating—*

[(A)] information and education programs or training programs designed to improve the provision of services to disabled infants with life-threatening conditions for—

[(i)] professional and paraprofessional personnel concerned with the welfare of disabled infants with life-threatening conditions, including personnel employed in child protective services programs and health-care facilities; and

[(ii)] the parents of such infants; and

[(B)] programs to assist in obtaining or coordinating necessary services for families of disabled infants with life-threatening conditions, including—

- [(i) existing social and health services;
- [(ii) financial assistance; and
- [(iii) services necessary to facilitate adoptive placement of any such infants who have been relinquished for adoption; or]

(9) *developing and facilitating effective and research-based training protocols for individuals mandated to report child abuse or neglect;*

(10) *developing, implementing, or operating programs to assist in obtaining or coordinating necessary services for families of disabled infants with life-threatening conditions, including—*

(A) existing social and health services;

(B) financial assistance; and

(C) services necessary to facilitate adoptive placement of any such infants who have been relinquished for adoption;

(11) *developing and delivering information to improve public education relating to the role and responsibilities of the child protection system and the nature and basis for reporting suspected incidents of child abuse and neglect;*

[(9)] (12) *developing and enhancing the capacity of community-based programs to integrate shared leadership strategies between parents and professionals to prevent and treat child abuse and neglect at the neighborhood level[.];*

(13) *supporting and enhancing interagency collaboration between the child protection system and the juvenile justice system for improved delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems; or*

(14) *supporting and enhancing collaboration among public health agencies, the child protection system, and private community-based programs to provide child abuse and neglect prevention and treatment services (including linkages with education systems) and to address the health needs, including mental health needs, of children identified as abused or neglected, including supporting prompt, comprehensive health and developmental evaluations for children who are the subject of substantiated child maltreatment reports.*

(b) ELIGIBILITY REQUIREMENTS.—

(1) STATE PLAN.—

(A) IN GENERAL.— * * *

(B) ADDITIONAL REQUIREMENT.—After the submission of the initial grant application under subparagraph (A), the State shall [provide notice to the Secretary of any substantive changes] *provide notice to the Secretary—*

(i) of any substantive changes to any State law relating to the prevention of child abuse and neglect that may affect the eligibility of the State under this section[.]; and

(ii) of any significant changes to how funds provided under this section are used to support the activities which may differ from the activities as described in the current State application.

(2) * * *

(A) * * *

(i) provisions or procedures for the reporting of known and suspected instances of child abuse and neglect;

(ii) *policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born and identified as being affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure;*

(iii) *the development of a plan of safe care for the infant born and identified as being affected by illegal substance abuse or withdrawal symptoms;*

[(ii)] (iv) procedures for the immediate screening, risk and safety assessment, and prompt investigation of such reports;

(v) *triage procedures for the appropriate referral of a child not at risk of imminent harm to a community organization or voluntary preventive service;*

[(iii)] (vi) procedures for immediate steps to be taken to ensure and protect the safety of the abused or neglected child and of any other child under the same care who may also be in danger of abuse or neglect and ensuring their placement in a safe environment;

[(iv)] (vii) provisions for immunity from prosecution under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect;

[(v)] (viii) methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of this Act shall only be made available to—

(I) individuals who are the subject of the report;

(II) Federal, State, or local government entities, or any agent of such entities, [having a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect], *as described in clause (ix);*

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(ix) *provisions to require a State to disclose confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect;*

[(vi)] (x) provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality;

[(vii)] (xi) the cooperation of State law enforcement officials, court of competent jurisdiction, and appropriate State agencies providing human services in the

investigation, assessment, prosecution, and treatment of child abuse or neglect;

[(viii)] *(xii)* provisions requiring, and procedures in place that facilitate the prompt expungement of any records that are accessible to the general public or are used for purposes of employment or other background checks in cases determined to be unsubstantiated or false, except that nothing in this section shall prevent State child protective services agencies from keeping information on unsubstantiated reports in their case-work files to assist in future risk and safety assessment;

[(ix)] *(xiii)* provisions and procedures requiring that in every case involving an abused or neglected child which results in a judicial proceeding, a guardian ad litem, *who has received training appropriate to the role, and who may be an attorney or a court appointed special advocate, who has received training appropriate to that role* (or both), shall be appointed to represent the child in such proceedings—

[(x)] *(xiv)* the establishment of citizen review panels in accordance with subsection (c);

[(xi)] *(xv)* provisions, procedures, and mechanisms [to be effective not later than 2 years after the date of the enactment of this section]—

* * * * *

[(xii)] *(xvi)* provisions, procedures, and mechanisms [to be effective not later than 2 years after the date of the enactment of this section] that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction—

* * * * *

(IV) to have committed a felony assault that results in the serious bodily injury to the surviving child or another child of such parent; [and]

[(xiii)] *(xvii)* an assurance that, upon the implementation by the State of the provisions, procedures, and mechanisms under [clause (xii)] *clause (xvi)*, conviction of any one of the felonies listed in [clause (xii)] *clause (xvi)*, constitute grounds under State law for the termination of parental rights of the convicted parent as to the surviving children (although case-by-case determinations of whether or not to seek termination of parental rights shall be within the sole discretion of the State);

(xviii) provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a manner that is consistent with laws protecting the rights of the informant;

(xix) provisions addressing the training of representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing such representatives of such duties, in order to protect the legal rights and safety of children and families from the initial time of contact during investigation through treatment;

(xx) provisions and procedures for improving the training, retention, and supervision of caseworkers; and

(xxi) not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, provisions and procedures for requiring criminal background record checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household;

* * * * *

(D) * * * Nothing in subparagraph (A) shall be construed to limit the State's flexibility to determine State policies relating to public access to court proceedings to determine child abuse and neglect.

(3) LIMITATION.—[With regard to clauses (v) and (vi) of paragraph (2)(A)] With regard to clauses (vi) and (vii) of paragraph (2)(A), nothing in this section shall be construed as restricting the ability of a State to refuse to disclose identifying information concerning the individual initiating a report or complaint alleging suspected instances of child abuse or neglect, except that the State may not refuse such a disclosure where a court orders such disclosure after such court has reviewed, in camera, the record of the State related to the report or complaint and has found it has reason to believe that the reporter knowingly made a false report.

* * * * *

(c) CITIZEN REVIEW PANELS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—* * *

* * * * *

(4) FUNCTIONS.—

(A) IN GENERAL.—Each panel established pursuant to paragraph (1) shall, by examining the policies [and procedures], *procedures, and practices* of State and local agencies and where appropriate specific cases, evaluate the extent to which [the agencies] *State and local child protection system agencies* are effectively discharging their child protection responsibilities in accordance with—

* * * * *

(I) a review of the extent to which the [State] *State and local* child protective services system is coordinated with the foster care and adoption programs established under part E of the title IV of the Social Security Act; and

(C) PUBLIC OUTREACH.—Each panel shall provide for public outreach and comment in order to assess the impact

of current procedures and practices upon children and families in the community and in order to meet its obligations under subparagraph (A).

* * * * *

(6) **REPORTS.**—Each panel established under paragraph (1) shall prepare and make available to the [public] *State and the public* on an annual basis, a report containing a summary of the activities of the panel *and recommendations to improve the child protection services system at the State and local levels. Not later than 6 months after the date on which a report is submitted by the panel to the State, the appropriate State agency shall submit a written response to the citizen review panel that describes whether or how the State will incorporate the recommendations of such panel (where appropriate) to make measurable progress in improving the State and local child protective system*

(d) * * *

(1) * * *

* * * * *

(13) *The annual report containing the summary of the activities of the citizen review panels of the State required by subsection (c)(6).*

(14) *The number of children under the care of the State child protection system who are transferred into the custody of the State juvenile justice system.*

* * * * *

SEC. 108. MISCELLANEOUS REQUIREMENTS RELATING TO ASSISTANCE.

(a) **CONSTRUCTION OF FACILITIES.**—

* * * * *

(d) **GAO STUDY.**—*Not later than February 1, 2004, the Comptroller General of the United States shall conduct a survey of a wide range of State and local child protection service systems to evaluate and submit to Congress a report concerning—*

(1) *the current training (including cross-training in domestic violence or substance abuse) of child protective service workers in the outcomes for children and to analyze and evaluate the effects of case-loads, compensation, and supervision on staff retention and performance;*

(2) *the efficiencies and effectiveness of agencies that provide cross-training with court personnel; and*

(3) *recommendations to strengthen child protective service effectiveness to improve outcomes for children.*

(e) **SENSE OF CONGRESS.**—*It is the sense of Congress that the Secretary should encourage all States and public and private agencies or organizations that receive assistance under this title to ensure that children and families with limited English proficiency who participate in programs under this title are provided materials and services under such programs in an appropriate language other than English.*

(f) **ANNUAL REPORT ON CERTAIN PROGRAMS.**—*A State that receives funds under section 106(a) shall annually prepare and submit to the Secretary a report describing the manner in which funds*

provided under this Act, alone or in combination with other Federal funds, were used to address the purposes and achieve the objectives of section 105(a)(4)(B).

* * * * *

SEC. 110. REPORTS.

(a) COORDINATION EFFORTS.—* * *

* * * * *

(c) *STUDY AND REPORT RELATING TO CITIZEN REVIEW PANELS.*—

(1) *STUDY.*—*The Secretary shall conduct a study by random sample of the effectiveness of the citizen review panels established under section 106(c).*

(2) *REPORT.*—*Not later than 3 years after the date of enactment of the Keeping Children and Families Safe Act of 2003, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that contains the results of the study conducted under paragraph (1).*

SEC. 112. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—

[(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to carry out this title, \$100,000,000 for fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2001.]

(1) *GENERAL AUTHORIZATION.*—*There are authorized to be appropriated to carry out this title \$120,000,000 for fiscal year 2004 and such sums as may be necessary for each of the fiscal years 2005 through 2008.*

(2) DISCRETIONARY ACTIVITIES.—

(A) * * *

(B) DEMONSTRATION PROJECTS.—Of the amounts made available for a fiscal year under subparagraph (A), the [Secretary make] *Secretary shall make available not more than 40 percent of such amounts to carry out [section 106] section 104.*

* * * * *

**[TITLE II—COMMUNITY-BASED FAMILY
RESOURCE AND SUPPORT GRANTS]**

***TITLE II—COMMUNITY-BASED GRANTS FOR
THE PREVENTION OF CHILD ABUSE AND NE-
GLECT***

SEC. 201. PURPOSE AND AUTHORITY.

(a) PURPOSE.—It is the purpose of this title—

[(1) to support State efforts to develop, operate, expand and enhance a network of community-based, prevention-focused, family resource and support programs that coordinate resources among existing education, vocational rehabilitation, disability, respite care, health, mental health, job readiness,

self-sufficiency, child and family development, community action, Head Start, child care, child abuse and neglect prevention, juvenile justice, domestic violence prevention and intervention, housing, and other human service organizations within the State; and

(1) *to support community-based efforts to develop, operate, expand, enhance, and, where appropriate to network, initiatives aimed at the prevention of child abuse and neglect, and to support networks of coordinated resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect; and*

* * * * *

(b) * * *

(1) developing, operating, expanding and enhancing **Statewide networks of community-based, prevention-focused, family resource and support programs that—** *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate) that are accessible, effective, culturally appropriate, and build upon existing strengths that—*

(A) * * *

* * * * *

(F) support the additional needs of families with children with disabilities through respite care and other services; **and**

[(G) decrease the risk of homelessness;]

(G) *demonstrate a commitment to meaningful parent leadership, including among parents of children with disabilities, parents with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups; and*

(H) *provide referrals to early health and developmental services;*

* * * * *

(4) maximizing funding *through leveraging of funds* for the financing, planning, community mobilization, collaboration, assessment, information and referral, startup, training and technical assistance, information management, reporting and evaluation costs for establishing, operating, or expanding **a Statewide network of community-based, prevention-focused community-based and prevention-focused, family resource and support program**; and *programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)*

* * * * *

SEC. 202. ELIGIBILITY.

A State shall be eligible for a grant under this title for a fiscal year if—

(1)(A) the chief executive officer of the State has designated a lead entity to administer funds under this title for the purposes identified under the authority of this title, including to develop, implement, operate, enhance or expand **a Statewide**

network of community-based, prevention-focused], *community-based and prevention-focused* [family resource and support programs, child abuse and neglect prevention activities and access to respite care services integrated with the Statewide network;] *programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate);*

(B) such lead entity is an existing public, quasi-public, or nonprofit private entity (which may be an entity that has not been established pursuant to State legislation, executive order, or any other written authority of the State) *that exists to strengthen and support families to prevent child abuse and neglect* with a demonstrated ability to work with other State and community-based agencies to provide training and technical assistance, and that has the capacity and commitment to ensure the meaningful involvement of parents who are consumers and who can provide leadership in the planning, implementation, and evaluation of programs and policy decisions of the applicant agency in accomplishing the desired outcomes for such efforts;

* * * * *

(2) the chief executive officer of the State provides assurances that the lead entity will provide or will be responsible for providing—

(A) [a network of community-based family resource support programs] *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)* composed of local, collaborative, public-private partnerships directed by interdisciplinary structures with balanced representation from private and public sector members, parents, and public and private nonprofit service providers and individuals and organizations experienced in working in partnership with families with children with disabilities;

(B) direction [to the network] through an interdisciplinary, collaborative, public-private structure with balanced representation from private and public sector members, parents, and public sector and private nonprofit sector service providers *and parents with disabilities*; and

(C) direction and oversight [to the network] through identified goals and objectives, clear lines of communication and accountability, the provision of leveraged or combined funding from Federal, State and private sources, centralized assessment and planning activities, the provision of training and technical assistance, and reporting and evaluation functions; and

(3) the chief executive officer of the State provides assurances that the lead entity—

(A) has a demonstrated commitment to parental participation in the development, operation, and oversight of the [Statewide network of community-based prevention-focused, family resource and support programs] *community-based and prevention-focused programs and activities de-*

signed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)

(B) has a demonstrated ability to work with State and community-based public and private nonprofit organizations to develop a continuum of preventive, family centered, comprehensive services for children and families through the [Statewide network of community-based, prevention-focused, family resource and support programs]; *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)*

(C) has the capacity to provide operational support (both financial and programmatic) [and training and technical assistance, to the Statewide network of community-based, prevention-focused, family resource and support programs] *training, technical assistance, and evaluation assistance, to community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)*, through innovative, interagency funding and interdisciplinary service delivery mechanisms; and

(D) will integrate its efforts with individuals and organizations experienced in working in partnership with families with children with disabilities *parents with disabilities*, and with the child abuse and neglect prevention activities of the State, and demonstrate a financial commitment to those activities.

* * * * *

SEC. 203 AMOUNT OF GRANT.

(a) RESERVATION.—* * *

(b) REMAINING AMOUNTS.—

(1) IN GENERAL.—* * *

(A) * * *

(B) 30 percent of such amount appropriated shall be allotted among the States by allotting to each State an amount that bears the same proportion to such amount appropriated [as the amount leveraged by the State from private, State, or other non-Federal sources and directed through the] *as the amount of private, State or other non-Federal funds leveraged and directed through the currently designated [State lead agency] State lead entity* in the preceding fiscal year bears to the aggregate of the amounts leveraged by all States from private, State, or other non-Federal sources and directed through [the lead agency] *the current lead entity* of such States in the preceding fiscal year.

(2) ADDITIONAL REQUIREMENT.—The Secretary shall provide allotments under paragraph (1) to the State lead entity.

(c) ALLOCATION.—Funds allotted to a State under this section—

(1) shall be for a 3-year period; and

(2) shall be provided by the Secretary to the State on an annual basis, as described in [subsection (a)] *subsection (b)*

* * * * *

[SEC. 204. EXISTING GRANTS.]

[(a) IN GENERAL.—Notwithstanding the enactment of the Child Abuse Prevention and Treatment Act Amendments of 1996, a State or entity that has a grant, contract, or cooperative agreement in effect, on the date of the enactment of such Act under any program described in subsection (b), shall continue to receive funds under such program, subject to the original terms under which such funds were provided under the grant, through the end of the applicable grant cycle.]

[(b) PROGRAMS, DESCRIBED.—The programs described in this subsection are the following:

[(1) The Community-Based Family Resource programs under section 201 of this Act, as such section was in effect on the day before the date of the enactment of the child Abuse Prevention and Treatment Act Amendments of 1996.]

[(2) The Family Support Center programs under subtitle F of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11481 et seq.), as such title was in effect on the day before the date of the enactment of the Child Abuse Prevention and Treatment Act Amendments of 1996.]

[(3) The Emergency Child Abuse Prevention Services grant program under section 107A of this Act, as such section was in effect on the day before the date of the enactment of the Human Services Amendments of 1994.]

[(4) Programs under the Temporary Child Care for Children With Disabilities and Crisis Nurseries Act of 1986.]

* * * * *

SEC. 205. APPLICATION.

A grant may not be made to a State under this title unless an application therefor is submitted by the State to the Secretary and such application contains the types of information specified by the Secretary as essential to carrying out the provisions of section 202, including—

(1) a description of the lead entity that will be responsible for the administration of funds provided under this title and the oversight of programs funded through the [Statewide network of community-based, prevention-focused, family resource and support programs] *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)* which meets the requirements of section 202;

(2) a description of how the [network of community-based, prevention-focused, family resource and support programs] *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect (through networks where appropriate)* will operate and how family resource and support services provided by public and private, nonprofit organizations, [including those funded by programs consolidated under this Act,] will be integrated into a developing continuum of family centered, holistic, preventive services for children and families;

[(3) an assurance that an inventory of current family resource programs, respite care, child abuse and neglect preven-

tion activities, and other family resource services operating in the State, and a description of current unmet needs, will be provided;】 (3) *a description of the inventory of current unmet needs and current community-based and prevention-focused programs and activities to prevent child abuse and neglect, and other family resource services operating in the State.*

(4) a budget for the development, operation and expansion of the 【State’s network of community-based, prevention-focused, family resource and support programs】 *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* that verifies that the State will expend in non-Federal funds in an amount equal to not less than 20 percent of the amount received under this title (in cash, not in-kind) for activities under this title;

(5) an assurance that funds received under this title will supplement, not supplant, other State and local public funds designated for the 【Statewide network of community-based, prevention-focused, family resource and support programs *start up, maintenance, expansion, and redesign of community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect*;

* * * * *

(7) a description of the criteria that the entity will use to develop, or select and fund, 【individual community-based, prevention-focused, family resource and support programs】 *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* as part of network development, expansion or enhancement;

(8) a description of outreach activities that the entity and the 【community-based, prevention-focused, family resource and support programs】 *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* will undertake to maximize the participation of racial and ethnic minorities, children and adults with disabilities, homeless families and those at risk of homelessness, and members of other underserved or underrepresented groups;

(9) a plan for providing operational support, training and technical assistance to 【community-based, prevention-focused, family resource and support programs】 *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* for development, operation, expansion and enhancement activities;

(10) a description of how the applicant entity’s activities and those of the network and its members (*where appropriate*) will be evaluated;

(11) a description of the actions that the applicant entity will take to advocate systemic changes in State policies, practices, procedures and regulations to improve the delivery of 【prevention-focused, family resource and support program】 *community-based and prevention-focused programs and activities de-*

signed to strengthen and support families to prevent child abuse and neglect services to children and families; and

[(13)] (12) an assurance that the applicant entity will provide the Secretary with reports at such time and containing such information as the Secretary may require.

* * * * *

SEC. 206. LOCAL PROGRAM REQUIREMENTS.

(a) IN GENERAL.—Grants made under this title shall be used to develop, implement, operate, expand and enhance community-based, [prevention-focused, family resource and support programs] *and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* that—

(1) * * *

(2) * * *

(3) provide—

(A) core family resource and support services such as—
 (i) parent education, mutual support and self help, and leadership services;
 (ii) outreach services;
 (iii) community and social service referrals; and
 (iv) follow-up services;

(B) other core services, which must be provided or arranged for through contracts or agreements with other local agencies, including *voluntary home visiting* and all forms of respite care services to the extent practicable; and

* * * * *

[(6)] participate with other community-based, prevention focused, family resource and support program grantees in the development, operation and expansion of the Statewide network. (6) *participate with other community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect in the development, operation and expansion of networks where appropriate.*

* * * * *

SEC. 207. PERFORMANCE MEASURES.

A State receiving a grant under this title, through reports provided to the Secretary—

(1) shall demonstrate the effective development, operation and expansion of [a Statewide network of community-based, prevention-focused, family resource and support programs] *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect* that meets the requirements of this title;

(2) shall supply an inventory and description of the services provided to families by local programs that meet identified community needs, including core and optional services as described in section 202;

[(3)] shall demonstrate the establishment of new respite care and other specific new family resources services, and the expansion of existing services, to address unmet needs identified

by the inventory and description of current services required under section 205(3); *](3) shall demonstrate that they will have addressed unmet needs identified by the inventory and description of current services required under section 205(3);*

(4) shall describe the number of families served, including families with children with disabilities, and parents with disabilities, and the involvement of a diverse representation of families in the design, operation, and [evaluation of the Statewide network of community-based, prevention-focused, family resource and support programs, and in the design, operation and evaluation of the individual community-based family resource and support programs that are part of the Statewide network funded under this title] evaluation of community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect, and in the design, operation and evaluation of the networks of such community-based and prevention-focused programs;

(5) shall demonstrate a high level of satisfaction among families who have used the services of the community-based, [prevention-focused, family resource and support programs] and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect;

(6) shall demonstrate the establishment or maintenance of innovative funding mechanisms, at the State or community level, that blend Federal, State, local and private funds, and innovative, interdisciplinary service delivery mechanisms, for the development, operation, expansion and enhancement of the [Statewide network of community-based, prevention-focused, family resource and support programs] community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect;

* * * * *

(8) shall demonstrate an implementation plan to ensure the continued leadership of parents in the on-going planning, implementation, and evaluation of such [community based, prevention-focused, family resource and support programs] community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect.

* * * * *

SEC. 208. NATIONAL NETWORK FOR COMMUNITY-BASED FAMILY RESOURCE PROGRAMS.

The Secretary may allocate such sums as may be necessary from the amount provided under the State allotment to support the activities of the lead entity in the State—

- (1) to create, operate and maintain a peer review process;
- (2) to create, operate and maintain an information clearinghouse;
- (3) to fund a yearly symposium on State system change efforts that result from the operation of the [Statewide networks of community-based, prevention-focused, family resource and

support programs] *community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect;*

(4) to create, operate and maintain a computerized communication system between lead entities; and

(5) to fund State-to-State technical assistance through bi-annual conferences.

* * * * *

SEC. 209. DEFINITIONS.

For purposes of this title:

(1) CHILDREN WITH DISABILITIES.—The term “children with disabilities” has the same meaning [given such term in section 602(a)(2)] *given the term “child with a disability” in section 602(3) or “infant or toddler with a disability” in section 632(5) of the Individuals with Disabilities Education Act.*

* * * * *

[(3) FAMILY RESOURCE AND SUPPORT PROGRAM.—The term “family resource and support program” means a community-based, prevention-focused entity that—

[(A) provides, through direct service, the core services required under this title, including—

[(i) parent education, support and leadership services, together with services characterized by relationships between parents and professionals that are based on equality and respect, and designed to assist parents in acquiring parenting skills, learning about child development, and responding appropriately to the behavior of their children;

[(ii) services to facilitate the ability of parents to serve as resources to one another (such as through mutual support and parent self-help groups);

[(iii) outreach services provided through voluntary home visits and other methods to assist parents in becoming aware of and able to participate in family resources and support program activities;

[(iv) community and social services to assist families in obtaining community resources; and

[(v) follow-up services;

[(B) provides, or arranges for the provision of, other core services through contracts or agreements with other local agencies, including all forms of respite care services; and

[(C) provides access to optional services, directly or by contract, purchase of service, or interagency agreement, including—

[(i) child care, early childhood development and early intervention services;

[(ii) referral to self-sufficiency and life management skills training;

[(iii) referral to education services, such as scholastic tutoring, literacy training, and General Educational Degree services;

[(iv) referral to services providing job readiness skills;

[(v) child abuse and neglect prevention activities;

- [(vi) referral to services that families with children with disabilities or special needs may require;
- [(vii) community and social service referral, including early developmental screening of children;
- [(viii) peer counseling;
- [(ix) referral for substance abuse counseling and treatment; and
- [(x) help line services.]

[(4) OUTREACH SERVICES.—The term “outreach services” means services provided to assist consumers, through voluntary home visits or other methods, in accessing and participating in family resource and support program activities.]

(3) *COMMUNITY-BASED AND PREVENTION-FOCUSED PROGRAMS AND ACTIVITIES TO PREVENT CHILD ABUSE AND NEGLECT.—The term “community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect” includes organizations such as family resource programs, family support programs, voluntary home visiting programs, respite care programs, parenting education, mutual support programs, and other community programs or networks of such programs that provide activities that are designed to prevent or respond to child abuse and neglect.*

* * * * *

[SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this title, \$66,000,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2001.]

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$80,000,000 for fiscal year 2004 and such sums as may be necessary for each of the fiscal years 2005 through 2008.

* * * * *

CHILD ABUSE PREVENTION AND TREATMENT AND ADOPTION REFORM ACT OF 1978

TITLE II—ADOPTION OPPORTUNITIES

SEC. 201. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

(a) FINDINGS.—Congress finds that—

[(1) the number of children in substitute care increased by nearly 61 percent between 1986 and 1994, as our Nation’s foster care population included more than 452,000 children as of June 1994;]

[(2) increasingly children entering foster care have complex problems which require intensive services;

[(3) an increasing number of infants are born to mothers who did not receive prenatal care, are born addicted to alcohol and other drugs, and exposed to infection with the etiologic

agent for the human immunodeficiency virus, are medically fragile, and technology dependent;

【(4) the welfare of thousands of children in institutions and foster homes and disabled infants with life-threatening conditions may be in serious jeopardy and some such children are in need of placement in permanent, adoptive homes;】

(1) the number of children in substitute care has increased by nearly 24 percent since 1994, as our Nation's foster care population included more than 565,000 as of September of 2001;

(2) children entering foster care have complex problems that require intensive services, with many such children having special needs because they are born to mothers who did not receive prenatal care, are born with life threatening conditions or disabilities, are born addicted to alcohol or other drugs, or have been exposed to infection with the etiologic agent for the human immunodeficiency virus;

(3) each year, thousands of children are in need of placement in permanent, adoptive homes;

【(5)】(4) many thousands of children remain in institutions or foster homes solely because of legal and other barriers to their placement in permanent, adoptive homes;

【(6) the majority of such children are of school age, members of sibling groups or disabled;】

【(7)(A) currently, 40,000 children are free for adoption and awaiting placement;】

【(7)】(5)(A) currently, there are 131,000 children waiting for adoption;

* * * * *

【(8)】(6) adoption may be the best alternative for assuring the healthy development of such children;

【(9)】(7) there are qualified persons seeking to adopt such children who are unable to do so because of barriers to their placement; and

【(10)】(8) in order both to enhance the stability and love of the child's home environment and to avoid wasteful expenditures of public funds, such children should not have medically indicated treatment withheld from them nor be maintained in foster care or institutions when adoption is appropriate and families can be found for such children.

(b) PURPOSE.—It is the purpose of this title to facilitate the elimination of barriers *including geographic barriers*, to adoption and to provide permanent and loving home environments for children who would benefit from adoption, particularly children with special needs, including disabled infants with life-threatening conditions, by providing a mechanism to—

(1) * * *

(2) maintain 【a national】 *an Internet-based national* adoption information exchange system to bring together children who would benefit from adoption and qualified prospective adoptive parents who are seeking such children, and conduct national recruitment efforts in order to reach prospective parents for children awaiting adoption; and

(3) demonstrate expeditious ways to free children for adoption for whom it has been determined that adoption is the appropriate plan. *an Internet-based national*

* * * * *

【INFORMATION AND SERVICES】

SEC. 203. INFORMATION AND SERVICES.

【SEC. 203. (a) The Secretary】 *(a) IN GENERAL.—The Secretary shall establish in the Department of Health and Human Services an appropriate administrative arrangement to provide a centralized focus for planning and coordinating of all departmental activities affecting adoption and foster care and for carrying out the provisions of this title. The Secretary shall make available such consultant services, on-site technical assistance and personnel, together with appropriate administrative expenses, including salaries and travel costs, as are necessary for carrying out such purposes, including services to facilitate the adoption of children with special needs and particularly of disabled infants with life-threatening conditions and services to couples considering adoption of children with special needs.*

(b) REQUIRED ACTIVITIES.—In connection with carrying out the provisions of this title, the Secretary shall—

(1) conduct (directly or by grant to or contract with public or private 【nonprofit】 agencies or organizations) an education and training program on adoption, and prepare, publish, and disseminate (directly or by grant to or contract with public or private 【nonprofit】 agencies and organizations) to all interested parties, public and private agencies and organizations (including, but not limited to, hospitals, health care and family planning clinics, and social services agencies), and governmental bodies, information and education and training materials regarding adoption and adoption assistance programs;

(2) conduct, directly or by grant or contract with public or private 【nonprofit】 organizations, ongoing, extensive recruitment efforts on a national level, develop national public awareness efforts to unite children in need of adoption with appropriate adoptive parents, and establish a coordinated referral system of recruited families with appropriate State or regional adoption resources to ensure that families are served in a timely fashion;

(3) notwithstanding any other provision of law, provide (directly or by grant to or contract with public or private 【nonprofit】 agencies or organizations) for (A) the operation of a national adoption information exchange system (including only such information as is necessary to facilitate the adoptive placement of children, utilizing computers and data processing methods to assist in the location of children who would benefit by adoption and in the placement in adoptive homes of children awaiting adoption); and (B) the coordination of such system with similar State and regional systems;

(4) provide (directly or by grant to or contract with public or private 【nonprofit】 agencies or organizations, including adoptive family groups and minority groups) for the provision of technical assistance in the planning, improving, developing,

and carrying out of programs and activities relating to adoption, and to promote professional leadership training of minorities in the adoption field;

(5) encourage involvement of corporations and small businesses in supporting adoption as a positive family-strengthening option, including the establishment of adoption benefit programs for employees who adopt children;

(6) **study the nature, scope, and effects of** *support* the placement of children in kinship care arrangements, pre-adoptive, or adoptive homes;

(7) study the efficacy of States contracting with public or private **nonprofit** agencies (including community-based and other organizations), or sectarian institutions for the recruitment of potential adoptive and foster families and to provide assistance in the placement of children for adoption;

(8) consult with other appropriate Federal departments and agencies in order to promote maximum coordination of the services and benefits provided under programs carried out by such departments and agencies with those carried out by the Secretary, and provide for the coordination of such aspects of all programs within the Department of Health and Human Services relating to adoption;

(9) maintain (directly or by grant to or contract with public or private **nonprofit** agencies or organizations) a National Resource Center for Special Needs Adoption to—

(A) promote professional leadership development of minorities in the adoption field;

(B) provide training and technical assistance to service providers and State agencies to improve professional competency in the field of adoption and the adoption of children with special needs; and

(C) facilitate the development of interdisciplinary approaches to meet the needs of children who are waiting for adoption and the needs of adoptive families; **and**

(10) provide (directly or by grant to or contract with States, local government entities, public or private **nonprofit** licensed child welfare or adoption agencies or adoptive family groups and community-based organizations with experience in working with minority populations) for the provision of programs aimed at increasing the number of minority children (who are in foster care and have the goal of adoption) placed in adoptive families, with a special emphasis on recruitment of minority families—

(A) which may include such activities as—

(i) * * *

* * * * *

(vi) * * *

(I) * * *

(II) private **nonprofit** child welfare and adoption agencies that are licensed by the State; and

* * * * *

(B) shall be subject to the condition that such grants or contracts may be renewed if documentation is provided to the Secretary demonstrating that appropriate and suffi-

cient placements of such children have occurred during the previous funding period[.]; and

(11) provide (directly or by grant to or contract with States, local government entities, or public or private licensed child welfare or adoption agencies) for the implementation of programs that are intended to increase the number of older children (who are in foster care and with the goal of adoption) placed in adoptive families, with a special emphasis on child-specific recruitment strategies, including—

(A) outreach, public education, or media campaigns to inform the public of the needs and numbers of older youth available for adoption;

(B) training of personnel in the special needs of older youth and the successful strategies of child-focused, child-specific recruitment efforts; and

(C) recruitment of prospective families for such children.

[(c)(1) The Secretary] (c) *SERVICES FOR FAMILIES ADOPTING SPECIAL NEEDS CHILDREN.*—

(1) *IN GENERAL.*—*The Secretary* shall provide (directly or by grant to or contract with States, local government entities, public or private [nonprofit] licensed child welfare or adoption agencies or adoptive family groups) for the provision of post legal adoption services for families who have adopted special needs children.

[(2) Services] (2) *SERVICES.*—*Services* provided under grants made under this subsection shall supplement, not supplant, services from any other funds available for the same general purposes, including—

(A) individual counseling;

(B) group counseling;

(C) family counseling;

(D) case management;

(E) training public agency adoption personnel, personnel of private, [nonprofit] child welfare and adoption agencies licensed by the State to provide adoption services, mental health services professionals, and other support personnel to provide services under this subsection;

(F) assistance to adoptive parent organizations; [and]

(G) assistance to support groups for adoptive parents, adopted children, and siblings of adopted children[.];

(H) day treatment; and

(I) respite care.

[(d)(1) The Secretary] (d) *IMPROVING PLACEMENT RATE OF CHILDREN IN FOSTER CARE.*—

(1) *IN GENERAL.*—*The Secretary* shall make grants for improving State efforts to increase the placement of foster care children legally free for adoption, according to a pre-established plan and goals for improvement. Grants funded by this section must include a strong evaluation component which outlines the innovations used to improve the placement of special needs children who are legally free for adoption, and the successes and failures of the initiative. The evaluations will be submitted to the Secretary who will compile the results of projects funded by this section and submit a report to the appropriate committees of Congress. The emphasis of this pro-

gram must focus on the improvement of the placement rate—not the aggregate number of special needs children placed in permanent homes. The Secretary, when reviewing grant application shall give priority to grantees who propose improvements designed to continue in the absence of Federal funds.

[(2)(A) Each State] (2) *APPLICATIONS; TECHNICAL AND OTHER ASSISTANCE.*—

(A) *APPLICATIONS.*—*Each State* entering into an agreement under this subsection shall submit an application to the Secretary that describes the manner in which the State will use funds during the 3 fiscal years subsequent to the date of the application to accomplish the purposes of this section. Such application shall be in a form and manner determined to be appropriate by the Secretary. Each application shall include verification of the placements described in paragraph (1).

[(B) The Secretary] (B) *TECHNICAL AND OTHER ASSISTANCE.*—*The Secretary* shall provide, directly or by grant to or contract with public or private [nonprofit] agencies or organizations—

(i) technical assistance and resource and referral information to assist State or local governments with termination of parental rights issues, in recruiting and retaining adoptive families, in the successful placement of children with special needs, and in the provision of pre- and post-placement services, including post-legal adoption services; and

(ii) other assistance to help State and local governments replicate successful adoption-related projects from other areas in the United States.

[(3)(A) Payments] (3) *PAYMENTS.*—

(A) *IN GENERAL.*—*Payments* under this subsection shall begin during fiscal year 1989. Payments under this section during any fiscal year shall not exceed \$1,000,000. No payment may be made under this subsection unless an amount in excess of \$5,000,000 is appropriated for such fiscal year under section 205(a).

[(B) Any payment] (B) *REVERSION OF UNUSED FUNDS.*—*Any payment* made to a State under this subsection which is not used by such State for the purpose provided in paragraph (1) during the fiscal year payment is made shall revert to the Secretary on October 1st of the next fiscal year and shall be used to carry out the purposes of this Act.

(e) *ELIMINATION OF BARRIERS TO ADOPTIONS ACROSS JURISDICTIONAL BOUNDARIES.*—

(1) *IN GENERAL.*—*The Secretary shall award grants to, or enter into contracts with, States, local government entities, public or private child welfare or adoption agencies, adoption exchanges, or adoption family groups to carry out initiatives to improve efforts to eliminate barriers to placing children for adoption across jurisdictional boundaries.*

(2) *SERVICES TO SUPPLEMENT NOT SUPPLANT.*—*Services provided under grants made under this subsection shall supplement, not supplant, services provided using any other funds made available for the same general purposes including—*

(A) *developing a uniform homestudy standard and protocol for acceptance of homestudies between States and jurisdictions;*

(B) *developing models of financing cross-jurisdictional placements;*

(C) *expanding the capacity of all adoption exchanges to serve increasing numbers of children;*

(D) *developing training materials and training social workers on preparing and moving children across State lines; and*

(E) *developing and supporting initiative models for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.*

* * * * *

STUDY OF UNLICENSED ADOPTION PLACEMENTS

SEC. 204. **[The]** (a) *IN GENERAL.*—*The Secretary shall provide for a study (the results of which shall be reported to the appropriate committees of the Congress not later than eighteen months after the date of enactment [of this Act] of the Keeping Children and Families Safe Act of 2003 designed [to determine the nature], to determine—scope, and effects of the interstate (and, to the extent feasible, intrastate) placement of children in adoptive homes (not including the homes of stepparents or relatives of the child in question) by persons or agencies [which are not licensed by or subject to regulation by any governmental entity.]*

(1) *the nature*

(2) *how interstate placements are being financed across State lines;*

(3) *recommendations on best practice models for both interstate and intrastate adoptions; and*

(4) *how State policies in defining special needs children differentiate or group similar categories of children.*

(b) *DYNAMICS OF SUCCESSFUL ADOPTION.*—*The Secretary shall conduct research (directly or by grant to, or contract with, public or private nonprofit research agencies or organizations) about adoption outcomes and the factors affecting those outcomes. The Secretary shall submit a report containing the results of such research to the appropriate committees of the Congress not later than the date that is 36 months after the date of the enactment of the Keeping Children and Families Safe Act of 2003.*

(c) *INTERJURISDICTIONAL ADOPTION.*—*Not later than 1 year after the date of the enactment of the Keeping Children and Families Safe Act of 2003, the Secretary, in consultation with the Comptroller General, shall submit to the appropriate committees of the Congress a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children.*

* * * * *

AUTHORIZATION OF APPROPRIATIONS

SEC. 205. (a) **[There are authorized to be appropriated, \$20,000,000 for fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2001 to carry out programs and activities authorized.]** *There are authorized to be ap-*

appropriated \$40,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008 to carry out programs and activities authorized under this subtitle.

(b) The Secretary shall ensure that funds appropriated pursuant to authorizations in this Act shall remain available until expended for the purposes for which they were appropriated.

* * * * *

ABANDONED INFANTS ASSISTANCE ACT OF 1988

SECTION 1. SHORT TITLE.

This Act may be cited as the “Abandoned Infants Assistance Act of 1988”.

SEC. 2 FINDINGS.

The Congress finds that—

[(1) throughout the Nation, the number of infants and young children who have been exposed to drugs taken by their mothers during pregnancy has increased dramatically;]

[(2)] *(1) studies indicate that a number of factors contribute to the inability of some parents [who abuse drugs] to provide adequate [care for such infants] care for their infants and young children and a lack of suitable shelter homes for such infants and young children have led to the abandonment of such infants and young children in hospitals for extended periods;*

[(3)] *(2) an unacceptable number of these infants and young children will be medically cleared for discharge, yet remain in hospitals as boarder babies;*

[(4)] *(3) hospital-based child care for these infants and young children is extremely costly and deprives them of an adequate nurturing environment;*

[(5)] *training is inadequate for foster care personnel working with medically fragile infants and young children and infants and young children exposed to drugs;]*

[(5)] *(4) appropriate training is needed for personnel working with infants and young children with life-threatening conditions and other special needs, including those who are infected with the human immunodeficiency virus (commonly known as “HIV”), those who have acquired immune deficiency syndrome (commonly known as “AIDS”), and those who have been exposed to dangerous drugs;*

[(6)] *a particularly devastating developing is the increase in the number of infants and young children who are infected with the human immunodeficiency virus (which is believed to cause acquired immune deficiency syndrome and which is commonly known as HIV) or who have been perinatally exposed to the virus or to a dangerous drug;*

[(7)] *many such infants and young children have at least one parent who is an intravenous drug abuser;*

[(8)] *(5) [such infants and young children] infants and young children who are abandoned in hospitals are particularly difficult to place in foster homes, and are being abandoned in hospitals in increasing numbers by mothers dying of acquired immune deficiency syndrome by parents abusing, or by parents incapable of providing adequate care;*

[(9)] (6) there is a need for [comprehensive services for such infants and young children, including foster family care services, case management services, family support services, respite and crisis intervention services, counseling services, and group residential home services;] *comprehensive support services for such infants and young children and their families and services to prevent the abandonment of such infants and young children, including foster care services, case management services, family support services, respite and crisis intervention services, counseling services, and group residential home services;*

[(10)] (7) there is a need to support the families of such infants and young children through the provision of services that will prevent the abandonment of the infants and children; and

[(11)] there is a need for the development of funding strategies that coordinate and make the optional use of all private resources, and Federal, State, and local resources to establish and maintain such services.]

(8) private, Federal, State, and local resources should be coordinated to establish and maintain services described in paragraph (7) and to ensure the optional use of all such resources.

* * * * *

TITLE I—PROJECTS REGARDING ABANDONMENT OF INFANTS AND YOUNG CHILDREN IN HOSPITALS

[SEC. 101. ESTABLISHMENT OF PROGRAM OF DEMONSTRATION PROJECTS.]

SEC. 101. ESTABLISHMENT OF LOCAL PROJECTS.

(a) IN GENERAL.—The Secretary of Health and Human Services may make grants to public and nonprofit private entities for the purpose of developing, implementing, and operating projects to demonstrate methods—

(1) * * *

* * * * *

[(b)] PRIORITY IN PROVISION OF SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees that, in carrying out the purpose described in subsection (a) (other than with respect to paragraph (6) of such subsection), the applicant will give priority to abandoned infants and young children—

[(1)] who are infected with the human immunodeficiency virus or who have been perinatally exposed to the virus; or

[(2)] who have been perinatally exposed to a dangerous drug.]

(b) PRIORITY IN PROVISION OF SERVICES.—*The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to give priority to abandoned infants and young children who—*

(1) are infected with, or have been perinatally exposed to, the human immunodeficiency virus, or have a life-threatening illness or other special medical need; or

(2) have been perinatally exposed to a dangerous drug.

* * * * *

SEC. 102. EVALUATIONS, STUDIES, AND REPORTS BY SECRETARY.

[(a) EVALUATIONS OF DEMONSTRATION PROJECTS.—The Secretary shall, directly or through contracts with public and nonprofit private entities, provide for evaluations of projects carried out under section 101 and for the dissemination of information developed as a result of such projects.

[(b) DISSEMINATION OF INFORMATION TO INDIVIDUALS WITH SPECIAL NEEDS.—

[(1)(A) The Secretary may enter into contracts or cooperative agreements with public or nonprofit private entities for the development and operation of model projects to disseminate the information described in subparagraph (B) to individuals who are disproportionately at risk of dysfunctional behaviors that lead to the abandonment of infants or young children.

[(B) The information referred to in subparagraph (A) is information on the availability to individuals described in such subparagraph, and the families of the individuals, of financial assistance and services under Federal, State, local, and private programs providing health services, mental health services, educational services, housing services, social services, or other appropriate services.

[(2) The Secretary may not provide a contract or cooperative agreement under paragraph (1) to an entity unless—

[(A) the entity has demonstrated expertise in the functions with respect to which such financial assistance is to be provided; and

[(B) the entity agrees that in disseminating information on programs described in such paragraph, the entity will give priority—

[(i) to providing the information to individuals described in such paragraph who—

[(I) engage in the abuse of alcohol or drugs, who are infected with the human immunodeficiency virus, or who have limited proficiency in speaking the English language; or

[(II) have been historically underserved in the provision of the information; and

[(ii) to providing information on programs that are operated in the geographic area in which the individuals involved reside and that will assist in eliminating or reducing the extent of behaviors described in such paragraph.

[(3) In providing contracts and cooperative agreements under paragraph (1), the Secretary may not provide more than 1 such contract or agreement with respect to any geographic area.

[(4) Subject to the availability of amounts made available in appropriations Acts for the fiscal year involved, the duration of a contract or cooperative agreement under paragraph (1) shall be for a period of 3 years, except that the Secretary may terminate such financial assistance if the Secretary determines that the entity involved has substantially failed to comply with the

agreements required as a condition of the provision of the assistance.

[(c) STUDY AND REPORT ON NUMBER OF ABANDONED INFANTS AND YOUNG CHILDREN.—

[(1) The Secretary shall conduct a study for the purpose of determining—

[(A) An estimate of the number of infants and young children abandoned in hospitals in the United States and the number of such infants and young children who are infants and young children described in section 101(b); and

[(B) an estimate of the annual costs incurred by the Federal Government and by State and local governments in providing housing and care for such infants and young children.

[(2) Not later than April 1, 1992, the Secretary shall complete the study required in paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

[(d) STUDY AND REPORT ON EFFECTIVE CARE METHODS.—

[(1) The Secretary shall conduct a study for the purpose of determining the most effective methods for responding to the needs of abandoned infants and young children.

[(2) The Secretary shall, not later than April 1, 1991, complete the study required in paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.]

SEC. 102. EVALUATIONS, STUDY, AND REPORTS BY SECRETARY.

(a) EVALUATIONS OF LOCAL PROGRAMS.—The Secretary shall, directly or through contracts with public and nonprofit private entities, provide for evaluations of projects carried out under section 101 and for the dissemination of information developed as a result of such projects.

(b) STUDY AND REPORT ON NUMBER OF ABANDONED INFANTS AND YOUNG CHILDREN.—

(1) IN GENERAL.—The Secretary shall conduct a study for the purpose of determining—

(A) An estimate of the annual number of infants and young children relinquished, abandoned, or found deceased in the United States and the number of such infants and young children who are infants and young children described in section 101(b);

(B) an estimate of the annual number of infants and young children who are victims of homicide;

(C) characteristics and demographics of parents who have abandoned an infant within 1 year of the infant's birth; and

(D) an estimate of the annual costs incurred by the Federal Government and by State and local governments in providing housing and care for abandoned infants and young children.

(2) DEADLINE.—Not later than 36 months after the date of enactment of the Keeping Children and Families Safe Act of 2003, the Secretary shall complete the study required under paragraph (1) and submit to Congress a report describing the findings made as a result of the study.

(c) *EVALUATION.*—*The Secretary shall evaluate and report on effective methods of intervening before the abandonment of an infant or young child so as to prevent such abandonments, and effective methods for responding to the needs of abandoned infants and young children.*

* * * * *

[SEC. 103. DEFINITIONS.

[For purposes of this title:

[(1) The terms “abandoned” and “abandonment”, with respect to infants and young children, mean that the infants and young children are medically cleared for discharge from acute-care hospital settings, but remain hospitalized because of a lack of appropriate out-of-hospital placement alternatives.

[(2) The term “dangerous drug” means a controlled substance, as defined in section 102 of the Controlled Substances Act.

[(3) The term “natural family” shall be broadly interpreted to include natural parents, grandparents, family members, guardians, children residing in the household, and individuals residing in the household on a continuing basis who are in a care-giving situation with respect to infants and young children covered under this Act.]

* * * * *

[SEC. 301. DEFINITIONS.

For purposes of this Act.

[(1) The term for acquired immune “deficiency syndrome” includes infection with the etiologic agent such syndrome, any condition indicating that an individual is infected with such etiologic agent, and any condition arising from such etiologic agent.

[(2) The term “Secretary” means the Secretary of Health and Human Services.]

SEC. 301. DEFINITIONS.

In this Act:

(1) *ABANDONED; ABANDONMENT.*—*The terms “abandoned” and “abandonment”, used with respect to infants and young children, mean that the infants and young children are medically cleared for discharge from acute-care hospital settings, but remain hospitalized because of a lack of appropriate out-of-hospital placement alternatives.*

(2) *ACQUIRED IMMUNE DEFICIENCY SYNDROME.*—*The term “acquired immune deficiency syndrome” includes infection with the etiologic agent for such syndrome, any condition indicating that an individual is infected with such etiologic agent, and any condition arising from such etiologic agent.*

(3) *DANGEROUS DRUG.*—*The term “dangerous drug” means a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).*

(4) *NATURAL FAMILY.*—*The term “natural family” shall be broadly interpreted to include natural parents, grandparents, family members, guardians, children residing in the household, and individuals residing in the household on a continuing*

basis who are in a care-giving situation, with respect to infants and young children covered under this Act.

(5) *SECRETARY.*—The term “Secretary” means the Secretary of Health and Human Services.

* * * * *

SEC. [104] 302. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—

[(1) For the purpose of carrying out this title (other than section 102(b)), there are authorized to be appropriated \$35,000,000 for fiscal year 1997 and such sums as may be necessary for each of the fiscal years 1998 through 2001.

[(2)(A) Of the amounts appropriated under paragraph (1) for any fiscal year in excess of the amount appropriated under this subsection for fiscal year 1991, as adjusted in accordance with subparagraph (B), the Secretary shall make available not less than 50 percent for grants under section 101(a) to carry out projects described in paragraph (8) of such section.

[(B) For purposes of subparagraph (A), the amount relating to fiscal year 1991 shall be adjusted for a fiscal year to a greater amount to the extent necessary to reflect the percentage increase in the consumer price index for all urban consumers (U.S. city average) for the 12-month period ending with March of the preceding fiscal year.

[(3) Not more than 5 percent of the amounts appropriate under paragraph (1) for any fiscal year may be obligated for carrying out section 102(a).]

(a) IN GENERAL.—

(1) *AUTHORIZATION.*—For the purpose of carrying out this Act, there are authorized to be appropriated \$45,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008.

(2) *LIMITATION.*—Not more than 5 percent of the amounts appropriated under paragraph (1) for any fiscal year may be obligated for carrying out section 102(a).

[(b) **DISSEMINATION OF INFORMATION FOR INDIVIDUALS WITH SPECIAL NEEDS.**—For the purpose of carrying out section 102b, there is authorized to be appropriated \$5,000,000 for each of the fiscal years 1992 through 1995.]

[(c)] (b) ADMINISTRATIVE EXPENSES.—

(1) *AUTHORIZATION.*—For the purpose of the administration of [this title] *this Act* by the Secretary, there is authorized to be appropriated for each fiscal year specified in subsection (a)(1) an amount equal to 5 percent of the amount authorized in such subsection to be appropriated for the fiscal year. With respect to the amounts appropriated under such subsection, the preceding sentence may not be construed to prohibit the expenditure of the amounts for the purpose described in such sentence.

(2) *LIMITATION.*—The Secretary may not obligate any of the amounts appropriated under paragraph (1) for a fiscal year unless, from the amounts appropriated under subsection (a)(1) for the fiscal year, the Secretary has obligated for the purpose described in such paragraph an amount equal to the amounts ob-

ligated by the Secretary for such purpose in **[fiscal year 1991]**
fiscal year 2003.

[(d)] (c) AVAILABILITY OF FUNDS.—Amounts appropriated
 under this section shall remain available until expended.

* * * * *

FAMILY VIOLENCE PREVENTION AND SERVICES ACT

DECLARATION OF PURPOSE

SEC. 302. It is the purpose of this title to—

(1) **[demonstrate the effectiveness of assisting]** *assist* States
 in efforts to increase public awareness about and prevent fam-
 ily violence and to provide immediate shelter and related as-
 sistance for victims of family violence and their dependents;
 and

(2) provide for technical assistance and training relating to
 family violence programs to States, local public agencies (in-
 cluding law enforcement agencies, courts, legal, social service,
 and health care professionals), nonprofit private organizations,
 and other persons seeking such assistance.

* * * * *

STATE DEMONSTRATION GRANTS AUTHORIZED

SEC. 303. (a)(1) In order to assist in supporting the establish-
 ment, maintenance, and expansion of programs and projects to pre-
 vent incidents of family violence and to provide immediate shelter
 and related assistance for victims of family violence and their de-
 pendents, the Secretary is authorized, in accordance with the provi-
 sions of this title, to make grants to States.

(2) No grant may be made under this subsection unless the chief
 executive officer of the State seeking such grant submits an appli-
 cation to the Secretary at such time and in such manner as the
 Secretary may reasonably require. Each such application shall—

(A) * * *

(B) * * *

(C) set forth procedures designed to involve **[State domestic
 violence coalitions knowledgeable individuals and interested
 organizations]** *State domestic violence coalitions, knowledge-
 able individuals, and interested organizations* and assure an
 equitable distribution of grants and grant funds within the
 State and between urban and rural areas within such State
 and a plan to address the needs of **[underserved populations,
 including populations underserved because of ethnic, racial,
 cultural, language diversity or geographic isolation;]** *under-
 served populations, as defined in section 2007 of the Omnibus
 Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-
 2);*

(D) * * *

(E) * * *

(F) provide documentation to the Secretary that the State
 has a law or procedure that has been implemented for the evic-
 tion of an abusing spouse from a share household; *and*

(G) * * *

(3) * * *

(4) Upon completion of the activities funded by a grant under this subpart, the State grantee shall file a performance report with the Director explaining the activities carried out together with an assessment of the effectiveness of those activities in achieving the purpose of this subpart. A section of this performance report shall be completed by each grantee or subgrantee that performed the direct services contemplated in the application certifying performance of direct services under the grant. The Director shall suspend funding for an approved application if an applicant fails to submit an annual performance report or if the funds are expended for purposes other than those set forth under this subpart, after following the procedures set forth in paragraph (3). Federal funds may be used only to supplement, not supplant, State funds.

(5) *Upon completion of the activities funded by a grant under this title, the State shall submit to the Secretary a report that contains a description of the activities carried out under paragraph (2)(B)(i).*

* * * * *

(c) *For a fiscal year described in section 310(a)(2), the Secretary shall use funds made available under that section to make grants, on a competitive basis, to eligible entities for projects designed to address the needs of children who witness domestic violence, to—*

(1) *provide direct services for children who witness domestic violence;*

(2) *provide for training for and collaboration among child welfare agencies, domestic violence victim service providers, courts, law enforcement, and other entities; and*

(3) *provide for multisystem interventions for children who witness domestic violence.*

[(c)] (d) No funds provided through demonstration grants made under this section may be used as direct payment to any victim of family violence or to any dependent of such victim.

[(d)] (e) No income eligibility standard may be imposed upon individuals with respect to eligibility for assistance or services supported with funds appropriated to carry out this title.

[(e)] (f) No grant may be made under this section to any entity other than a State or an Indian Tribe unless the entity provides for the following non-Federal matching local share as a proportion of the total amount of funds provided under this title to the project involved: with respect to an entity operating an existing program under this title, not less than 20 percent, and with respect to an entity intending to operate a new program under this title, not less than 35 percent. The local share required under this subsection may be in cash or in-kind. The local share may not include any Federal funds provided under any authority other than this title.

[(f)] (g) The Secretary shall assure that not less than 70 percent of the funds distributed under subsection (a) or (b) shall be distributed to entities for the purpose of providing immediate shelter and related assistance to victims of family violence and their dependents as defined in section [309(4)] 320. Not less than 25 percent of the funds distributed under subsection (a) or (b) shall be distributed for the purpose of providing related assistance as defined under section [309(5)(A)] 320(5)(A).

* * * * *

SECRETARIAL RESPONSIBILITIES

SEC. 305. (a) The Secretary shall appoint **an employee** *or more employees* of the Department of Health and Human Services to carry out the provisions **[of this title.]** *of this title, including carrying out evaluation and monitoring under this title.* **[The individual]** *Any individual* appointed under this subsection shall, prior to such appointment, have had expertise in the field of family violence prevention and services.

(b) The Secretary shall—

(1) * * *

(2)(A) **[provide for research, and into]** *provide for research into* the most effective prevention, identification, and treatment thereof (such as research into (i) the effectiveness of reducing repeated incidents of family violence through a variety of sentencing alternatives, such as incarceration, fines, and counseling programs, individually or in combination, and through the use of civil protection orders removing the abuser from the family household, (ii) the necessity and impact of a mandatory reporting requirement relating to incidents of family violence, particularly abuse of elderly persons), (iii) the effectiveness of providing safety and support to maternal and child victims of family violence as a way to eliminate the abuse experienced by children in such situations, (iv) identification of intervention approaches to child abuse prevention services which appear to be successful in preventing child abuse where both mother and child are abused, (v) effective and appropriate treatment services for children where both mother and child are abused, and (vi) the individual and situational factors leading to the end of violent and abusive behavior by persons who commit acts of family violence, including such factors as history of previous violence and the legal and service interventions received, and (B) make a complete study and investigation (in consultation with the National Institute on Aging) of the national incidence of abuse, neglect, and exploitation of elderly persons, including a determination of the extent to which incidents of such abuse, neglect, and exploitation are increasing in number or severity; and

* * * * *

EVALUATION

SEC. 306. **[Not later than two years after the date on which funds are obligated under section 303(a) for the first time after the date of the enactment of this title, and every two years thereafter,]** *Every 2 years,* the Secretary shall review, evaluate, and report to the appropriate Committees of the Congress, as to the effectiveness of the programs administered and operated pursuant to this title, particularly in relation to repeated incidents of family violence. Such report shall also include a summary of the documentation provided to the Secretary under section 303(a)(2)(B) through 303(a)(2)(F).

* * * * *

SEC. 308. INFORMATION AND TECHNICAL ASSISTANCE CENTERS.

(a) PURPOSE AND GRANTS.—* * *

* * * * *

[(g) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. Not later than 120 days after such date of enactment, the Secretary shall publish final regulation.]

* * * * *

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—There are authorized to be appropriated to carry out this title \$175,000,000 for each of fiscal years 2001 through 2005.]

(a) *IN GENERAL.*—

(1) *AUTHORIZATION.*—*There are authorized to be appropriated to carry out sections 303 through 311, \$175,000,000 for each of fiscal years 2004 through 2008.*

(2) *PROJECTS TO ADDRESS NEEDS OF CHILDREN WHO WITNESS DOMESTIC VIOLENCE.*—*For a fiscal year in which the amounts appropriated under paragraph (1) exceed \$150,000,000, the Secretary shall reserve and make available 50 percent of the excess to carry out section 303(c).*

(b) SECTION 303 (a) AND (b).—Of the amounts appropriated under subsection (a) for each fiscal year (*and not reserved under subsection (a)(2)*), not less than 70 percent shall be used for making grants under subsection 303(a), and not less than 10 percent shall be used for the purpose of carrying out section 303(b).

(c) SECTION 308.—Of the amounts appropriated under subsection (a) for each fiscal year (*and not reserved under subsection (a)(2)*), 5 percent shall be used by the Secretary for making grants under section 308.

(d) GRANTS FOR STATE COALITIONS.—Of the amounts appropriated under subsection (a) for each fiscal year (*and not reserved under subsection (a)(2)*), not less than 10 percent of such amounts shall be used by the Secretary for making grants under section 311.

(e) NON-SUPPLANTING REQUIREMENT.—Federal funds made available to a State under this shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services and activities that promote the purposes of this title.

* * * * *

SEC. 311. GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.

(a) IN GENERAL.—The Secretary shall award grants for the funding of State domestic violence coalitions. Such coalitions shall further the purposes of domestic violence intervention and prevention through activities, including—

(1) * * *

(2) * * *

* * * * *

(K) the use of training and technical assistance to law enforcement, judges, court officers and [other criminal justice professionals;] *other criminal justice professionals;*

* * * * *

(3) work with **[family law judges,,]** *family law judges*, criminal court judges, Child Protective Services agencies, and children's advocates to develop appropriate responses to child custody and visitation issues in domestic violence cases as well as cases where domestic violence and child abuse are both present, including—

(A) * * *

* * * * *

(D) the use of training and technical assistance for family law judges, *criminal court judges*, and court personnel;

* * * * *

(H) the implementation of **[supervised visitations that do not endanger victims and their children]** *supervised visitations or denial of visitation to protect against danger to victims or their children*; and

* * * * *

[(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to be used to award grants under this section \$8,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.]

(g) FUNDING.—Of the amount appropriated under section 310(a) for a fiscal year (and not reserved under section 310(a)(2)), not less than 10 percent of such amount shall be made available to award grants under this section.

[(h) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. Not later than 120 days after such date of enactment, the Secretary shall publish final regulations implementing this section.]

* * * * *

ADMINISTRATION AND STATUTORY CONSTRUCTION

SEC. 312. (a) In order to carry out the provisions of this title, the Secretary is authorized to—* * *

* * * * *

(b) * * *

(c) Of the amount appropriated under section 310(a) for each fiscal year (and not reserved under section 310(a)(2)), not more than 2.5 percent shall be used by the Secretary for evaluation, monitoring, and other administrative costs under this title.

* * * * *

[SEC. 313. The Secretary shall, directly or by grant or contract—

[(1) develop data on the individual develop data¹ on the number of victims of family violence and their dependents who are homeless or institutionalized as a result of the violence and abuse they have experienced;

[(2) provide for the objective documentation of data on the victims of family violence and their dependents based on injuries that are brought to the attention of domestic violence shelter, hospital, social service, or law enforcement personnel, whether or not formal civil or criminal action is taken; and

[(3) provide assurances that procedures will be developed to guarantee the confidentiality of records pertaining to any individual for whom data are compiled through this subsection.]

* * * * *

[SEC. 315. MODEL STATE LEADERSHIP GRANTS FOR DOMESTIC VIOLENCE INTERVENTION.

[(a) IN GENERAL.—The Secretary, in cooperation with the Attorney General, shall award grants to not more than 10 States to assist such States in becoming model demonstration States and in meeting the costs of improving State leadership concerning activities that will—

[(1) increase the number of prosecutions for domestic violence crimes;

[(2) encourage the reporting of incidences of domestic violence; and

[(3) facilitate “arrests and aggressive” prosecution policies.

[(b) DESIGNATION AS MODEL STATE.—To be designated, as a model State under subsection (a), a State shall have in effect—

[(1) a law that requires mandatory arrest of a person that police have probable cause to believe has committed an act of domestic violence or probable cause to believe has violated an outstanding civil protection order;

[(2) a law or policy that discourages “dual” arrests;

[(3) statewide prosecution policies that—

[(A) authorize and encourage prosecutors to pursue cases where a criminal case can be proved, including proceeding without the active involvement of the victim if necessary; and¹

[(B) implement model projects that include either—

(i) a “no-drop” prosecution policy; or

(ii) a vertical prosecution policy; and

[(C) limit diversion to extraordinary cases, and then only after an admission before a judicial officer has been entered;

[(4) statewide guidelines for judges that—

[(A) reduce the automatic issuance of mutual restraining or protective orders in cases where only one spouse has sought a restraining or protective order;

[(B) discourage custody or joint custody orders by spouse abusers; and

[(C) encourage the understanding of domestic violence as a serious criminal offense and not a trivial dispute; and

[(5) develop and disseminate methods to improve the criminal justice system’s response to domestic violence to make existing remedies as easily available as possible to victims of domestic violence, including reducing delay, eliminating court fees, and providing easily understandable court forms.

[(c) AUTHORIZATION OF APPROPRIATIONS.—

[(1) IN GENERAL.—In addition to the funds authorized to be appropriated under section 310, there are authorized to be appropriated to make grants under this section \$25,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

[(2) LIMITATION.—A grant may not be made under this section in an amount less than \$2,000,000.]

[(3) DELEGATION AND TRANSFER.—The Secretary shall delegate to the Attorney General the Secretary's responsibilities for carrying out this section and shall transfer to the Attorney General the funds appropriated under this section for the purpose of making grants under this section.]

* * * * *

SEC. 316. NATIONAL DOMESTIC VIOLENCE HOTLINE GRANT.

(a) IN GENERAL.— * * *

(b) DURATION.—[A grant] (1) *IN GENERAL.*—*Except as provided in paragraph (2), a grant under this section may extend over a period of not more than 5 years.*

(2) *EXTENSION.*—*The Secretary may extend the duration of a grant under this section beyond the period described in paragraph (1) if, prior to such extension—*

(A) the entity prepares and submits to the Secretary a report that evaluates the effectiveness of the use of amounts received under the grant for the period described in paragraph (1) and contains any other information the secretary may prescribe; and

(B) the report and other appropriate criteria indicate that the entity is successfully operating the hotline in accordance with subsection (a).

(c) ANNUAL APPROVAL.— * * *

* * * * *

[(f) AUTHORIZATION OF APPROPRIATIONS.—

[(1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2001 through 2005.]

[(2) AVAILABILITY.—Funds authorized to be appropriated under paragraph (1) shall remain available until expended.]

* * * * *

[SEC. 317. YOUTH EDUCATION AND DOMESTIC VIOLENCE.

[(a) GENERAL PURPOSE.—For purposes of this section, the Secretary may, in consultation with the Secretary of Education, select, implement and evaluate 4 model programs for education of young people about domestic violence and violence among intimate partners.]

[(b) NATURE OF PROGRAM.—The Secretary shall select, implement and evaluate separate model programs for 4 different audiences: primary schools, middle schools, secondary schools, and institutions of higher education. The model programs shall be selected, implemented, and evaluated in consultation with educational experts, legal and psychological experts on battering, and victim advocate organizations such as battered women's shelters, State coalitions and resource centers.]

[(c) REVIEW AND DISSEMINATION.—Not later than 2 years after the date of enactment of this section, the Secretary shall transmit the design and evaluation of the model programs, along with a plan and cost estimate for nationwide distribution, to the relevant committees of Congress for review.]

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$400,000 for fiscal year 1996.]

SEC. 317. NATIONAL DOMESTIC VIOLENCE SHELTER NETWORK.

(a) *IN GENERAL.*—For a year in which the Secretary makes an amount available under subsection (g)(2), the Secretary shall award a grant to a nonprofit organization to establish and operate a highly secure Internet website (referred to in this section as the ‘website’) that shall—

(1) link, to the greatest extent possible, entities consisting of the entity providing the national domestic violence hotline, participating domestic violence shelters in the United States, State and local domestic violence agencies, and other domestic violence organization, so that such entities will be able to connect a victim of domestic violence to the most safe, appropriate, and convenient domestic violence shelter; and

(2) contain, to the maximum extent practicable, continuously updated information concerning the availability of services and space in domestic violence shelters across the United States.

(b) *ELIGIBLE ENTITIES.*—To be eligible to receive a grant under this section, a nonprofit organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require. The application shall—

(1) demonstrate the experience of the applicant in successfully developing and managing a technology-based network of domestic violence shelters;

(2) demonstrate a record of success of the applicant in meeting the needs of domestic violence victims and their families; and

(3) include a certification that the applicant will—

(A) implement a high level security system to ensure the confidentiality of the website;

(B) establish, within 5 years, a website that links the entities described in subsection (a)(1);

(C) consult with the entities described in subsection (a)(1) in developing and implementing the website and providing Internet connections; and

(D) otherwise comply with the requirements of this section.

(c) *USE OF GRANT AWARD.*—The recipient of a grant award under this section shall—

(1) collaborate with officials of the Department of Health and Human Services in a manner determined to be appropriate by the Secretary;

(2) collaborate with the entity providing the national domestic violence hotline in developing and implementing the network;

(3) ensure that the website is continuously updated and highly secure;

(4) ensure that the website provides information describing the services of each domestic violence shelter to which the website is linked, including information for individuals with limited English proficiency and information concerning access to medical care, social services, transportation, services for children, and other relevant services;

(5) ensure that the website provides up-to-the-minute information on available bed space in domestic violence shelters across the United States, to the maximum extent practicable;

(6) provide training to the staff of the hotline and to staff of the other entities described in subsection (a)(1) regarding how to use the website to best meet the needs of callers;

(7) provide Internet access, and hardware in necessary cases, to domestic violence shelters in the United States that do not have the appropriate technology for such access, to the maximum extent practicable; and

(8) ensure that after the third year of the website project, the recipient will develop a plan to expand the sources of funding for the website to include funding from public and private entities, although nothing in this paragraph shall preclude a grant recipient under this section from raising funds from other sources at any time during the 5-year grant period.

(d) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to require any shelter or service provider, whether public or private, to be linked to the website or to provide information to the recipient of the grant award or to the website.

(e) **DURATION OF GRANT.**—The term of a grant awarded under this section shall be 5 years.

(f) **TECHNICAL ASSISTANCE AND OVERSIGHT.**—The Secretary shall—

(1) provide technical assistance, if requested, on developing and managing the website; and

(2) have access to, and monitor, the website.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to carry out section 316 and this section, \$5,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

(2) **CONDITIONS ON APPROPRIATIONS.**—Notwithstanding paragraph (1), the Secretary shall make available a portion of the amounts appropriated under paragraph (1) to carry out this section only for any fiscal year for which the amounts appropriated under paragraph (1) exceed \$3,000,000.

(3) **ADMINISTRATIVE COSTS.**—Of the amount made available to carry out this section for a fiscal year the Secretary may not use more than 2 percent for administrative costs associated with the grant program carried out under this section, of which not more than 5 percent shall be used to assist the entity providing the national domestic violence hotline to participate in the establishment of the website.

(4) **AVAILABILITY.**—Funds appropriated under paragraph (1) shall remain available until expended.

* * * * *

SEC. 318. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.

(a) **IN GENERAL.**— * * *

* * * * *

[(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$6,000,000 for each of fiscal years 2001 through 2005.]

(h) *AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$6,000,000 for each of fiscal years 2004 through 2008.*

[(i) *REGULATIONS.—Not later than 60 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. Not later than 120 days after the date of enactment, the Secretary shall publish final regulations implementing this section.*]

* * * * *

SEC. 319. TRANSITIONAL HOUSING ASSISTANCE.

(a) *IN GENERAL.—** * *

* * * * *

(f) *AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for [fiscal year 2001] each of fiscal years 2004 through 2008.*

* * * * *

DEFINITIONS

SEC. [309] 320. As used in this title:

